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THE SLUM HOUSING PROBLEM IN LOS ANGELES AND THE DEPARTMENT OF BUILDING AND SAFETY

Interim Report Number 1 of the Blue Ribbon Citizens' Committee on Slum Housing

July 21, 1997

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I. Executive Summary

A. Introduction

More than four decades ago, writing for a unanimous United States Supreme Court, Justice William O. Douglas put the slum housing problem in context:

> Miserable and disreputable housing conditions may do more than spread disease and crime and immorality. They may also suffocate the spirit by reducing the people who live there to the status of cattle. They may indeed make living an almost insufferable burden. They may also be an ugly sore, a blight on the community which robs it of charm, which makes it a place from which men turn. The misery of housing may despoil a community as an open sewer may ruin a river. Berman v. Parker, 348 U.S. 26, 32-33 (1954).

Several months ago a group of experts and community leaders in business, law, politics, and academia, concerned about the growing problem of slum housing in Los Angeles, came together to investigate that problem and the responses of local government. The Mayor and each member of the City Council and Board of Supervisors were invited to nominate additional members to the committee. Many did so, adding to the depth of experience and breadth of perspectives of this group of volunteer citizens. With the addition of these new members, the committee -- by then known as the Blue Ribbon Committee on Slum Housing[1] -- began to meet to conduct its inquiry and deliberations. With the assistance of professors and graduate students at the UCLA School of Law and the UCLA School of Public Policy and Social Research, the Committee has conducted an extensive review of the housing code enforcement activities of several agencies, including the Los Angeles City Department of Building and Safety, the Los Angeles County Health Department, the Los Angeles County Fire Department, the Los Angeles City Fire Department, and the Los Angeles City Attorney. Our investigations and research continue, now with the pro bono assistance of some of Los Angeles' leading law firms. However, we believe our investigations regarding the nature of the problem and the response to it by the Los Angeles City Department of Building and Safety are sufficiently complete to permit the release of this interim report. We expect to release subsequent reports focused on the other agencies involved in enforcing laws regulating slum housing.

We release this interim report now because this is a very important time for the consideration of these issues by the Los Angeles community and its leaders. The City will soon select new leaders for both the Housing Department and the Department of Building and Safety. As the result of two tragic fires, the attention of civic leaders has been

[1] The word, "Citizens'", was later added to the name to emphasize the fact that ours is a purely private, independent effort.

focused on one aspect of the slum housing problem, the illegal conversion of garages to substandard housing. We judge this a critical time for this community to address the problem of slum housing and the failure of our civic institutions to adequately respond to it.

We hope that the facts presented in this interim report will help to inform the civic debate that we are beginning to have -- a debate we must have -- about how to improve the horrific conditions in which many of our poorest residents live, and how we avoid the inevitable deterioration and eventual abandonment of buildings, blocks, and entire neighborhoods. We are convinced that unless action is taken soon to remedy the problems we discuss, all who live and work in Los Angeles will suffer the consequences. Those consequences are, as we discuss, both extremely serious and -- with creativity and leadership -- largely avoidable.

In this report we do four things. First, we summarize what is known about the extent and depth of the slum housing problem in Los Angeles. Second, we suggest a framework for thinking about the slum housing problem and the circumstances and processes that lead to deterioration and abandonment. Third, we present our factual findings, some more preliminary than others, regarding the existing housing code enforcement systems in the City's Department of Building and Safety (BAS). Fourth, informed by a survey of "best practices" in other cities and by the management expertise and common sense on the Committee, we propose reforms we believe the City should seriously consider.

B. Summary of Findings

Our overall findings and recommendations can be summarized as follows:

1. *The problem of slum housing in Los Angeles is very serious and growing more desperate, with serious consequences for all Angelenos.* Absent effective intervention, Los Angeles faces the prospect of irreversible decline, deterioration, and abandonment of much of its housing, and the accompanying devastation of entire neighborhoods. Though the most serious direct consequences of slum housing conditions may fall on those compelled to live in them, the health, social, and economic consequences of the spread of slum housing conditions affects us all.

2. *There is no single cause of deterioration, and no true stereotype of the slum building, owner, or tenant.* There is no single cause of slum housing conditions. Slum housing is a result of the extreme poverty of many residents, the high market cost of housing, and the behavior of both tenants and landlords. Rational enforcement of existing housing codes cannot address all the causes of slum housing, but code enforcement can address some of them. There are many slum buildings in which owners could and would, with appropriate incentives, use rent revenues to maintain and appropriately manage their

buildings. In the absence of such incentives, some profit-maximizing owners will and do rationally (if criminally) decide to "milk" their buildings to the point at which even the most desperate tenant will abandon them. The adoption of these business strategies by some owners greatly accelerates the decline of buildings. Other owners, recognizing that they face little risk in doing so, also decide to reduce maintenance efforts below levels that rational code enforcement would encourage. Still other owners simply lack the resources, for reasons beyond their control, to maintain their buildings at minimally acceptable levels. Public policy should recognize both the processes that create slums and the variations in owners and their business strategies. At the very least, an efficient code enforcement system should identify those buildings at greatest and most imminent risk.

3. *The present system of housing codes and code enforcement, as actually implemented by The Department Of Building And Safety, presents few incentives for owners to comply with the law or to avoid deterioration and decline.* While the majority of owners do comply with most housing codes for reasons of good citizenship and sound business judgment, willful and intentional violators face little chance of detection, and virtually no chance of punishment, apart from the small number of cases targeted by the Slum Housing Task Force (SHTF)[2] and the Citywide Nuisance Abatement Program (CNAP). The great majority of continuing BAS violations are eventually referred to the Investigations Division, which begins the process from the beginning, with yet another set of inspections and notices. The Investigations Division is referred to by many insiders as the "black hole" for cases, a characterization not inconsistent with the Department's own data, as discussed below. At the current rate of processing cases, assuming no new cases were referred, it would take the Investigations Division 21 months to clear the backlog of old cases. At the end of the process, the Investigations Division presently generates an average of one (1) court case per investigator *per year*.

4. *The existing housing code enforcement system allocates the bulk of effective enforcement resources to dealing with the consequences of system failures, rather than preventing deterioration and slum housing conditions.* Virtually the only effective code enforcement takes place with regard to the "end-stage" buildings: the 100 or so larger slum buildings targeted by the SHTF and the buildings (most of them abandoned) targeted by CNAP. This situation is analogous to having a public health system comprised entirely of an emergency room and a coroner's office.

5. *The failures of the present system appear to be mainly not failures of law, but of law enforcement, of systems rather than of people.* We judge that the major flaws are in the design and organization of systems of enforcement rather than in the intentions or competence of employees within those systems. Indeed, we have been impressed by the intelligence and dedication of most of the public employees we have interviewed, virtually

[2] Technically, the Interagency Housing Task Force. Because it is generally referred to by participants as the Slum Housing Task Force, we use that name in this report.

all of whom were critical of aspects of the systems of which they were a part. Our overall sense is that the code enforcement systems have evolved willy-nilly, in response to historical episodes of crisis or political pressure.

6. *Efforts by the Department of Building and Safety to enforce housing codes in existing rental housing are inefficient and ineffective.* In the sections that follow, we set out our factual findings regarding the Department of Building and Safety (hereafter, "BAS") in considerable detail. In summary form, they can be characterized as follows:

a. *The prevention of slum housing conditions and the enforcement of laws pertaining to existing housing is a low priority for BAS.* Far more BAS inspection resources are devoted to inspection activities in new construction and remodeling than to enforcing housing codes in existing rental housing. Fewer than 5% of the employees of BAS are assigned to the inspection of multifamily rental housing. Yet there are 590,710 multifamily rental housing units already in existence in the City,[3] but fewer than 3,000 housing units per year being constructed.[4]

b. *The jurisdiction over particular kinds of problems is overlapping, unclear, and poorly understood (even by those charged with enforcement), both as between the City Department of Building and Safety (BAS) and the County Department of Health Services (DHS), and within BAS.* The result is a good deal of buck-passing and wasted resources. While this report focuses on BAS, it must be noted that the existence of two separate housing code enforcement agencies -- BAS and DHS -- enforcing similar and overlapping laws regarding the same buildings, but with little cooperation or coordination between them, inevitably leads to inefficiencies and system failures. Many problems simply fall through the "cracks" in this system, while others attract redundant and unnecessary attention. Actual cooperation and coordination between the agencies exists only within two small task forces.

c. *Even when subject matter jurisdiction is clear, there is rarely any continuing responsibility or accountability for even a single problem in a single building.* There are many opportunities and incentives merely to refer a problem rather than to deal with it. An obvious plumbing problem may be passed off by the DHS inspector to BAS, or vice versa, depending on assessments of the cause of the problem. Within BAS simple problems, like faulty smoke detectors or broken plumbing problems, are referred by building inspectors to specialized electrical or plumbing inspectors, and then sometimes back to the original inspector for further processing. We do not attempt here to allocate blame among the various agencies and subdivisions, but we note that the existing system

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[3] Data from 1990 Census, Census Bureau Web Site, from file C90STF3A.

[4] The average for the five years ending in 1995 was 2941, including 847 single family and 2094 multifamily units. Data from the web page of the City Chief Administrative Officer at www.ci.la.ca.us/dep/CAO/gif/tab9.gif.

design virtually guarantees efforts at buck-passing, blame-shifting and reciprocal finger-pointing, with no single agency or person responsible in the end for results or lack of them.

d. *The general enforcement philosophy implemented by BAS appears contrary to statutory mandates and sound public policy.* All agencies, including BAS, function on the principle that violations of the housing codes are insignificant, provided there is eventual compliance. Violators are given many opportunities to correct clear code violation, with no sanction if eventual compliance occurs. Repeat players (including serious repeat offenders) know that threats of imminent and serious prosecution are not to be taken seriously, and that claims of some progress will delay the day of reckoning, perhaps forever, unless they are unlucky enough to draw the attention of the Slum Housing Task Force (SHTF) or the Citywide Nuisance Abatement Program (CNAP). Drawing that attention does seem to be largely a matter of luck. In the great majority of cases, a violation eventually corrected is forgiven and forgotten. Even at the end of the process, only the original specific problem (this broken window, that hole in the wall) is at issue, even if the entire building has more violations at the end of the process than at the beginning. While this system may operate successfully in some cases, it is an invitation to abuse that is frequently accepted. No other set of laws is (un)enforced in this manner. One can easily imagine the consequences if our misdemeanor laws against shoplifting or drunk driving were enforced in the same way.

e. *The code enforcement system relies mainly on complaints, yet often makes lodging a complaint very difficult, especially for tenants likely to be living in the worst housing.* BAS relies entirely on complaints, yet has not so much as a simple pamphlet in any language explaining the complaint process -- in contrast to the extensive information BAS makes available to homeowners, builders and developers. BAS appears to simply ignore a state law requiring that they give affected tenants notice when owners have been found to be in serious violation, thereby preventing tenants from participating in the process of monitoring subsequent compliance.

f. *There is virtually no effective management information system in use by any agency sufficient to permit an accurate assessment of performance or efficiency.* BAS has a mainframe management information system (MIS) that is apparently not utilized for any significant management or tracking purpose. Field operations and tracking of orders and complaints are actually managed by card files, paper, inspector discretion, and human memory.

g. *There is no information system in any agency that permits the systematic tracking of buildings, owners, or enforcement activity.* BAS has a system that permits tracking of some information by building address, but not in sufficient detail to be useful to anyone monitoring code compliance by building. Everyone involved in the system suggests the need for an integrated data system that would permit any official to ascertain

the enforcement history and current status of any building. City staff responsible for CNAP have initiated an interagency tracking system may serve as a model in the future. An independent effort, NKLA, at the UCLA School of Public Policy and Social Research which is funded by the Housing Department and the U.S. Department of Commerce, is also well under way. Absent increased support from the City, however, it seems doubtful that an adequate tracking system will be developed. Such a system is necessary both to monitor the City's efforts at enforcement, and to permit the earlier identification of buildings at greatest risk of deterioration and abandonment.

h. *There are nevertheless bright spots and success stories in the efforts by the City and County to combat slum housing.* The interagency Slum Housing Task Force appears to us to be doing a good job in addressing the 100 or so buildings that become its targets at any one time. The SHTF controls its own inspections and reinspections, avoids jurisdictional problems by conducting simultaneous team inspections, and utilizes City Attorneys with no other obligations than to enforce housing codes. The SHTF is still a collaboration, with no single person or agency actually in charge or responsible for its mission, but small enough that it seems to function well nonetheless. The smallness is, however, also a weakness. The 60 or so buildings the SHTF is able to handle each year constitute only a small fraction of the buildings desperately in need of its attention. Further, because of the limited resources, the SHTF is focused exclusively on the worst occupied buildings rather than on marginal buildings that might be saved from further decline. The Task Force typically takes on only larger buildings. But only a third of the rental housing in the City is in buildings with 20 or more units. Similarly, we are impressed with the design and intentions of the Citywide Nuisance Abatement Program (CNAP), which has more than twice the personnel resources of the SHTF (though still less than the woefully ineffective Investigations Division). The problem is that, as Mary Claire Molidor explained to the Committee, it is highly unlikely that CNAP will ever be able to get beyond attacking the consequences of a failed code enforcement system -- abandoned and derelict buildings that breed crime and neighborhood decay -- to attacking the root causes of abandonment while there is still hope.

C. Summary of Recommendations.

Based on our findings, and applying the common sense and management expertise of the members of the Blue Ribbon Committee on Slum Housing, we make several recommendations, summarized briefly here and set out in more detail at the end of this report.

1 *We recommend the adoption of routine, periodic inspections of all rental housing, with the frequency and intensity of inspection determined by the conditions of the building and estimates of the risk of deterioration.*

2. *We recommend that complaint-driven systems be retained as a supplement to periodic inspection but made accessible to those most likely to be in need of them.*

3. *We recommend the Committee explore creation of a single-purpose Housing Inspection and Enforcement Service with a clear mandate and mission to enforce all health and housing codes in existing residential housing within the City of Los Angeles.*

4. *We recommend that the housing code enforcement process, either in existing agencies or a new consolidated agency, be restructured so as to have the following features:*

a. *A change in the basic framing and functional definition of "compliance" with housing codes from the specific defect to the entire unit or building.*

b. *A clear allocation of responsibility throughout the inspection and enforcement process, from initial complaint to final compliance or other resolution, to one person or small team, together with reasonable measures to monitor the quality of inspections conducted and clear performance standards as to the results obtained.*

c. *Clear, definite and time-limited mandates for obtaining actual compliance, with consistent and clearly communicated enforcement consequences where compliance is not achieved.*

d. *Expanded use of a wider range of enforcement devices appropriate to the violations, including expanding the use of a citation system for less serious violations and injunctions against repeat offenders, to replace the present exclusive reliance (in practice) on a threat of misdemeanor prosecution that is rarely carried out.*

e *The use of existing technology and existing (and hopefully much improved) information on the condition of rental housing in order to rationally allocate enforcement activities to prevent decline, especially that generated by intentional milking by slumlords.*

f. *The funding of housing inspection and code enforcement activities out of funds generated by those activities, with minimal reliance on the general fund and with costs allocated most heavily to those who violate the law.*

g. *Ongoing monitoring of housing code enforcement efforts by a citizen commission appointed specifically for that purpose, including representatives of both landlords and tenants and others, charged with the responsibility to measure and report progress in the implementation of reforms and on their consequences in the community.*

II. The Nature, Extent, Causes, and Consequences of the Slum Housing Problem

Slum housing is a very serious and growing problem in Los Angeles, a problem that will -- unless checked -- produce disastrous results for all the City's residents. The number of slum housing units is very large and growing. The processes that cause housing deterioration are becoming even more intense. Slum housing is no longer confined to a handful of poor neighborhoods. With the demographic and economic changes in the past decade, the slum housing problem has spread throughout most parts of the City. Nor do the consequences of slums fall only upon those who live in them. As housing deteriorates, so do neighborhoods. As once livable apartment buildings become slums and are then finally abandoned to squatters (or worse), tenants in neighboring buildings try to move away as well. Slum conditions and abandonment can spread: from one building on a block to other buildings on the same block, from that block to other blocks in the same neighborhood. A truly vicious cycle of decline may set in. In the meantime, slum housing conditions exact a terrible toll, not merely on those forced to live in them, and not only now but also over the long term. Contagious diseases bred in slum housing are transmitted in schools, restaurants and other public places. Returning from school to homes in slum buildings, thousands of Los Angeles' children face the challenge of doing homework amid rats and roaches. From the immediate health consequences for children who suffer from lead poisoning or asthma induced by cockroach allergens, to the declining property values of homeowners and honest landlords trying operate legitimately in the same neighborhoods, to the deepening tarnish on Los Angeles' once-shining image throughout the world, the web of consequences of the slum housing problem extends very far indeed.

A. The Magnitude and Scope of the Problem

There are both direct and indirect ways of assessing the magnitude of the slum housing problem in Los Angeles. The only systematic direct survey of housing conditions -- the American Housing Survey -- is conducted periodically by the United States Census Bureau. As part of the decennial census, the Census Bureau also determines the rates of housing overcrowding, which is closely correlated with substandard housing conditions.[5] In addition, housing experts in government, business and academia are able to estimate the direction of changes in housing conditions, if not their absolute magnitudes. Most such observers agree that housing conditions are declining at the lower end of the rental housing stock.

[5] The correlation exists because the same poor tenants who can afford only the worst buildings can also afford the least space per person.

The results of the last American Housing Survey for Los Angeles, conducted in 1995, are not yet published but were released to the Committee just last week. These census data established that in 1995 *one in ten* apartments in Los Angeles[6] – 156,400 units[7] – was substandard and in need of major repairs. 40,000 rental units had "severe" physical problems.[8] Tenants in 107,900 rental units had seen signs of rats within the last three months. 131,700 rental units were without working toilets at some time within the last three months, and residents of 100,400 units had suffered through extended periods without heat during winter. In 72,300 units there were "major trash accumulations." Another 121,400 units had open cracks and holes in the interior.[9]

Additionally, there is also good data on housing overcrowding, which tends to be closely associated with slum housing conditions. The same factors that cause tenants to accept slum housing conditions also cause them to accept an inadequate living area. In 1980, 17% of Los Angeles rental dwellings were overcrowded. The number of overcrowded rental units increased to 28% by 1990. The number of rental households living in *severely* overcrowded conditions *more than doubled* between 1980 and 1990. Currently, over 20% of Los Angeles renters live in severely overcrowded conditions.[10]

Los Angeles' slum housing problem is not limited to a few inner city neighborhoods. As seen from Exhibit A, a map of slum properties voted by the City Council into the REAP program, such buildings are found in many different areas of the City. We have very little other direct data on the geographic distribution of slum housing. But again using the surrogate variable of overcrowding confirms the point. Severe overcrowding in 1990 was found mainly in the core of the City and in pockets in the San Fernando Valley and Harbor areas (Exhibit B). But the increase in severe overcrowding between 1980 and 1990 was most pronounced in the Valley and outlying parts of the City (Exhibit C).

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[6] Where it is available, we have used Census data for the City of Los Angeles. Some data is reported by the Census only for the Los Angeles - Long Beach Standard Metropolitan Statistical Area (SMSA), which includes data for areas outside the City of Los Angeles. The great majority of low income rental units in the SMSA, however, are located in the City of Los Angeles.

[7] AMERICAN HOUSING SURVEY FOR THE LOS ANGELES- LONG BEACH METROPOLITAN AREA, 1995, Table 4-3.

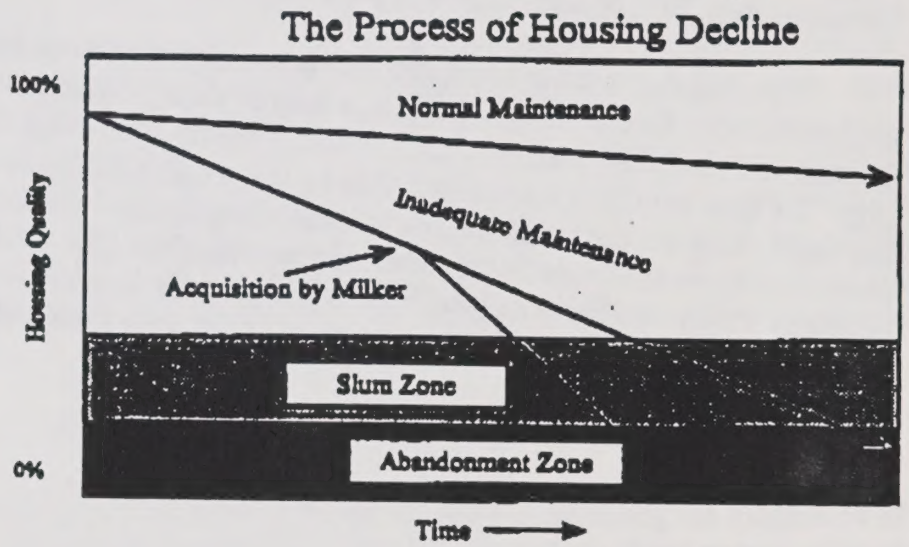
[8] AMERICAN HOUSING SURVEY FOR THE LOS ANGELES- LONG BEACH METROPOLITAN AREA, 1995, Table 4-6.

[9] AMERICAN HOUSING SURVEY FOR THE LOS ANGELES- LONG BEACH METROPOLITAN AREA, 1995, Table 4-7.

[10] Hamilton, Rabinovitz & Alschuler, Inc. RENTAL HOUSING STUDY 1994 at 29 (1994) [hereinafter HR&A Study].

B. The Causes of Slum Housing and the Processes of Decline

Slums are made, not born. No building begins as a slum. Buildings deteriorate with time and use, but many old buildings survive in good shape, with adequate maintenance. But when maintenance falls below the required level – for whatever reason – deterioration begins. Abusive tenants and poor management practices place even greater pressures on buildings. There are, of course, many reasons owners do not put sufficient resources into maintenance. Some simply cannot, given the economics of their buildings. But others consciously choose to increase their profits by reducing maintenance costs. A minority of landlords -- who truly deserve to be called slumlords -- adopt a conscious business plan to "milk" their buildings: taking out rents but putting absolutely nothing back into them. The trajectory followed by a particular building depends both on the objective circumstances of the building and on the choices made by the owner. The graph below illustrates some of the possible paths an apartment building may follow.



Sound public policy should recognize three facts in this context. First, slum housing conditions are the product of several different causes, including the oversupply of very poor people and the undersupply of affordable housing, as well as the conscious business decisions of some owners.[11] Second, slum housing conditions are the result of a process, one that can be stopped or reversed if the problem properties are identified and addressed early enough. Third, although housing code enforcement cannot address all the causes of slum housing, an effective, efficient, targeted housing code system can greatly

[11] In this regard, it is important to note that the recently released data from the 1995 American Housing Survey establishes that between 1989 and 1995, the number of residents in rental property living in poverty increased from 217,200 to 422,500 – *an increase of 95% in only six years.*

reduce the prevalence of slum housing conditions and the risks of abandonment. Simply put, there are many landlords -- including the criminal "milkers" of slum property -- who could and should take less profit and put more of the rent paid by tenants into maintaining their buildings, but who presently lack any incentives to do so.

A rational, efficient public housing code enforcement system for Los Angeles must therefore have two characteristics: First, the City should emphasize means of identifying and addressing buildings at risk before they reach the irreversible end-stage of terrible slum conditions and eventual abandonment. Second, the City should enforce its laws in ways that create clear and meaningful incentives for owners to maintain their properties at minimal, legal levels -- or to find other businesses in which they can operate legally.

C. The Consequences of Slum Housing -- for Tenants and for the Community.

Many of the consequences of slum housing conditions are obvious. Most of the consequences fall most heavily on the people, including children, who live in slum housing. But both the variety of consequences and the range of their effects are much wider than we are accustomed to thinking.

1. Health Consequences.

One need not be an epidemiologist to understand the health consequences for tenants living with inadequate plumbing, with no heat in winter, with accumulations of trash and infestations of rats and cockroaches. Recurring health problems become chronic. Communicable diseases -- from simple colds to salmonella and shigella -- become more widespread. People who live in slum housing travel and work elsewhere. Illnesses spawned in slums spread widely throughout the community.

Other health consequences are less obvious and perhaps more insidious. Most slum buildings were built when lead paint was legal and common. The dust and chips from that paint find their way into the bodies of young children, where the results can be silently disastrous and permanent: reduced intelligence, behavior problems, and worse. Cockroaches are not merely unpleasant: the high rate of asthma among children living in slums is now attributed to an allergic reaction to substances produced by cockroaches.[12]

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[12] Warren E. Leary, "Cockroaches Cited as Big Cause of Asthma," New York Times, May 8, 1997, p.18.

2. Social Consequences.

Slums have social and economic consequences as well. Slum housing makes worse other problems: poor education, crime, and social disorder. Children living in slum dwellings may have trouble in school. First, health problems, from illness to the effects of lead paint, may affect the child's ability to concentrate at school. Secondly, inadequate heat and lighting, the presence of vermin, and crowded living conditions hamper the child's ability to study at home. Tenant children with educational deficits in turn affect other children in the classroom, because the teachers must divide their time between those who are and are not able to prepare for classroom instruction.

Abandoned units in slum dwellings attract gangs, drug dealers, and other criminals. Gangs may threaten other tenants in the building and threaten or encourage younger slum residents to become part of their group. The presence of criminals in a slum building jeopardizes the safety of all tenants as well as of the surrounding community. Those living in slums become demoralized, experiencing depression and a sense of hopelessness. A parent's negative attitude affects his or her children as well, further decreasing that child's chances of succeeding at school.

Moreover, the slum environment may cause a "broken window effect."[13] A general sense of disorder, of hopelessness can begin to poison a neighborhood, then a community. Those living in the surrounding area may lose interest or economic incentive to care for their own property, or improve their communities and prevent further dilapidation of their living environment. Ignoring obvious and widespread slum housing conditions sends a message more powerful than any public service announcement or political speech, a message even young children can understand: we do not care about your environment and we do not care about you. The connection between unenforced housing codes and social disorder was well known long before social scientists began speaking of the "broken window" effect. The Kerner Commission report following the widespread riots of 1967 made the connection quite well.[14]

3. Economic Consequences.

Slum housing conditions have a number of negative economic consequences for the community. Health problems created in the slums reduce worker productivity and further burden a public health system stretched to the limit. As slum housing conditions spread, property values and, eventually, property taxes, decline. Slumlords who "milk"

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[13] George L. Kelling and James Q. Wilson, "Broken Windows," Atlantic Monthly, at 29 (Mar. 1982) (arguing that signs of disorder and decay, such as broken windows in neighborhoods, lead directly to a loss of social order and decay, and contribute ultimately to the prevalence of serious crime)

[14] "In nearly every disorder city surveyed, grievances related to housing were important factors in the structure of Negro (sic) discontent" Report of the National Advisory Commission on Civil Disorders (New York Times advance edition) (1968) pp. 472-473

their properties typically cease paying not only for maintenance, but also for utilities and taxes, shifting these costs to other ratepayers and taxpayers. The wider economic consequences of one slum building may be hard to measure, but it is not difficult to see that adding to the thousands of slum buildings can have dramatic effects.

As conditions in a slum dwelling become worse, values of surrounding buildings decline as well. This creates a disincentive for both the slum owner and the owners of surrounding properties to improve, maintain, and invest money in their buildings. As owners cease maintaining their buildings and neighborhoods decline, wealthier, more stable tenants move out of the community to more desirable areas. Business owners either go out of business or follow the wealthier consumers to new areas, causing a further decline in the neighborhood economy. Builders, business owners, and other investors are disinclined to build, set up shop, or invest in the neighborhood as it declines. On the larger scale, reality begins to overcome reputation. The national (and international) reputation of Los Angeles as a beautiful, livable city -- already tarnished -- declines further. Tourists with dollars (or yen or deutschemarks) to spend decide to spend them elsewhere. No one can fully account for all the costs of allowing even one building to slide from adequate housing to slum to abandoned shell, but it would be foolish indeed to simply ignore those costs.

III. Specific Findings Regarding Code Enforcement Efforts of the Los Angeles City Department of Building and Safety[15]

A. Introduction

The Department of Building and Safety (BAS) is a creature of the Los Angeles City Charter.[16] BAS is charged with enforcing laws with regard to all structures in the city, both new and existing, whether those structures are residential, commercial, or industrial. With nearly 800 employees, BAS is reputed to be the largest building department in the world. The 1996-97 budget for the department was $48 million (including charge-backs from other city departments). The Department has three main administrative offices: City Hall, Shatto Place, and Van Nuys. There are also smaller satellite offices in West L.A., the West Valley, and San Pedro. Some inspectors also maintain offices at various Council District Field Offices.

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[15] This section was prepared by Professor Gary Blasi, based on the work of UCLA law students Leo Trujillo-Cox and Alanna Regan, and Sean Heron, graduate student in the School of Public Policy and Social Research. An analysis at a greater level of detail in some areas can be found in Mr. Heron's report, "Code Enforcement in Multi-Family Rental Housing: An Assessment of the Los Angeles Department of Building and Safety and Some Recommendations for Improvement."

[16] Section 70(c) of the Charter creates the Department and specifies that it shall be under the supervision of a General Manager.

The resources and responsibility for enforcing housing codes in existing multifammily residential housing are scattered throughout an immensely complicated bureaucracy. As illustrated graphically in Exhibit D, the Department of Building and Safety is organized into three Bureaus: Resource Management, Engineering, and Inspection. Responsibility for code enforcement falls within the Inspection Bureau, which is divided into three divisions: a division handling mainly new construction (Commercial Building Inspection Division), a division handling mainly existing buildings (Community Inspection Division), and an Investigations Division. The inspection of existing buildings, under Community Inspection, is further divided by type of building use - residential and commercial. Residential Inspection, (or District Inspection), is responsible for inspections on both new and existing 1 and 2 unit residential buildings. The inspectors in this section are classified as Building Mechanical Inspectors or BMIs, and can inspect all components (building, electrical and mechanical) in these types of buildings.[17]

Residential buildings with 3 or more units are under the jurisdiction of Code Enforcement Inspection, where activities are divided between various types of specialty inspectors (building, electrical, plumbing, heating) and various special inspection programs. Organizationally, Code Enforcement Inspection is divided between Complaint and Referral Inspection, which handles the great majority of complaints and inspections, and several special programs under the general rubric, "Special Inspections." These special programs are relatively small subunits that are either (1) specialized to address specific areas like sign inspection or auto repair shops, or (2) designed to respond to political pressure and/or to areas of enforcement which are for various reasons understood to be beyond the capacity of Complaint and Referral. These include the BAS personnel assigned to the Slum Housing Task Force, which generally targets a list of the 100 worst, large (14+ units), occupied buildings, and the Special Inspections Task Force (SITF), which responds to internal referrals in cases deemed too large, complicated, or politically sensitive for Complaint and Referral to handle.[18] Investigations Division, which is parallel to the Community Inspection Division in the organizational hierarchy, is used by some, but not all of these programs as a last resort when the inspectors are not able to gain compliance.

Some sense of the relative levels of activity performed by BAS can be seen in the following table, Table I, which sets out BAS's estimate of the numbers of various kinds of inspections it will conduct in 1996-97:

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[17] This special classification of inspector was apparently developed in the 1960s as a result of political pressure from developers and single family property owners, who contended that coordinating multiple inspectors for single family and duplex buildings was time consuming and costly .

[18] Most referrals come from high level management and are in response to political pressure. Part of the SITF mandate appears to be to maintain the credibility of BAS and to respond to requests from the Mayor and Council Members.

Table I[19]

Type of Inspection	Estimated Number FY 96-97
Residential New Construction	302,000
Residential Complaint Inspections	58,000
Commercial Complaint and Referral Inspections	51,000
Interagency Task Force Inspections	3,500

B. As judged by the allocation of resources and activity, the prevention of slum conditions -- indeed, the enforcement of housing codes in existing housing of every kind -- is a relatively low priority for the Department of Building and Safety.

The Department of Building and Safety is broadly charged with enforcing, both in new construction and existing buildings, "all ordinances and laws relating to the construction, alteration, repair and demolition, or removal of buildings or structures in the City, and to the installation, alteration, repair, use, and operation of all heating, plumbing, lighting, ventilating, refrigeration, electrical and mechanical appliances and equipment therein."[20] The BAS mandate extends beyond residential housing, indeed, beyond all kinds of housing, to include virtually every kind of structure, from carport to skyscraper to circus tent. The vast majority of BAS inspection and enforcement resources, however, are targeted on new construction and single family buildings. By every measure, BAS devotes only a small fraction of its energy to enforcing codes in existing multifamily residential housing. Out of a total staff of nearly 800, BAS has about 38 "front line" inspectors routinely enforcing codes in occupied multifamily residential housing -- and all but four of these inspectors also inspect commercial buildings.[21] Within the City of Los Angeles, in 1990 there were 602,578 such units[22] (in buildings with three or more units) -- a ratio of roughly 16,000 such units per field inspector. According to BAS budget projections, in 1996-97 BAS personnel will conduct 302,000 residential new construction inspections, more than five times the number of either projected residential complaint inspections (58,000) or projected commercial complaint and referral inspections (51,000). The disproportionate emphasis on enforcement in buildings other than apartments is also evident from the gross number of orders outstanding at any one time. As of April 11, 1997, for "open order complaints . . . at least 30 days old", there were 17,134 residential

[19] Department of Building and Safety, "Indicators of Workload," submitted with proposed 96-97 budget.
[20] Los Angeles Administrative Code, Div. 22, Ch. 2, Articles 1-3.
[21] The number of inspectors includes the 30 inspectors in the general Complaint and Referrals section, and the 4 inspectors assigned to the Slum Housing Task Force, and the 4 inspectors assigned to Special Inspections Task Force. Other subdivisions within BAS may sometimes deal with occupied multifamily residential inspections as a part of their broader set of assignments.
[22] Data from 1990 Census, Tape STF3A, available at http://www.census/gov

orders, 7164 commercial orders, and 4408 apartment orders (about 15% of all such orders).[23]

One of the reasons for the existing distribution of resources and emphasis may be that new construction inspection activities generate a significant part of the BAS budget, while existing housing enforcement activities generate an insignificant part. The estimated BAS revenue for 1997-98 includes $15,710,655 from construction permits and $15,279,285 from Plan Checking Fees, but only $314,570 from Non-compliance fees and $380,214 from Investigation Fees.[24]

C. Having no system of routine or periodic inspections, BAS relies entirely on complaints -- mainly from tenants -- yet often makes lodging a complaint very difficult, especially for tenants likely to be living in the worst housing.

Unlike similar departments in other cities (notably Pasadena and San Francisco), BAS has no routine or periodic inspection program. All inspections of existing residential housing must begin with a complaint. Making a complaint, however, is not an easy task, particularly for complainants who do not speak English. In contrast to rather elaborate efforts to inform builders and developers about BAS processes, BAS has produced not so much as a simple pamphlet -- in any language -- explaining the complaint process. One of our investigative staff, a law student and former high school teacher, spent 2.5 hours at the City Hall offices of BAS, trying find out how to lodge a complaint about slum housing conditions, entirely without success. It took her several phone calls and a trip to another BAS office in order to uncover the "entry point" to the complaint process.[25] Only at the end of the process did she encounter BAS staff able to communicate in Spanish. On asking one of the public contact staff in City Hall why it was so difficult to find out how to lodge a complaint, she was told that most people who contact BAS already know what to do.

BAS plainly knows how to make its systems accessible and understandable. While there is no pamphlet for tenants, there is a nicely-designed, 16-page pamphlet for builders, clearly written and illustrated with a flow chart. Similarly, the BAS presence on the World Wide Web[26] has much information of use to those concerned with new construction. But BAS provides absolutely no information, in any medium or in any language, to tenants or other members of the community seeking to make a complaint about slum housing conditions.

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[23] Printout dated 4/11/97: "Department of Building and Safety - Bureau of Community Safety, Summary Statistic for all . . . open order complaints that are at least 30 days old" (Document #91)

[24] Revenue Estimate Worksheet - Form CAO 19A, Departmental Receipts, Building and Safety.

[25] The summary of these efforts is set out at Exhibit E.

[26] http://www.ci.la.ca.us/dept/BAS/index.htm

These are particularly significant problems, given that there are many disincentives for most tenants to complain in the first place, including fears of retaliatory eviction or rent increases and the fear by undocumented immigrant tenants -- residents of many of the worst buildings -- caused by threats of deportation. The result is that many very serious code violations never come to the attention of authorities. The Complaint and Referral inspector assigned to Council District 8, which includes the garment district and some of the most notoriously substandard buildings in the City, reported that he very rarely got complaints about conditions in apartment buildings, and spent most of his time on commercial use violations.[27] Anecdotal information from other generalist Complaint and Referral inspectors suggests that complaints do not come disproportionately from areas with the oldest or worst housing.

D. The jurisdiction over particular kinds of problems is overlapping, unclear, and poorly understood (even by those charged with enforcement), both as between the City Department of Building and Safety (BAS) and the County Department of Health Services (DHS), and even within BAS.

BAS, of course, is not the only agency charged with enforcing laws regulating the condition of residential housing. Both the County Department of Health Services (DHS) and BAS potentially have jurisdiction over the same problem, or aspects of the same problem. For example, DHS and BAS each enforce separate municipal regulations requiring that plumbing to be in good working order, walls and roofs to be waterproof, trash and debris to be removed, heating systems to be in good working order, and so on. But a tenant who only knows that toilets are overflowing may well not know that the problem "really" belongs to BAS (because the cause is improper plumbing connections) or to DHS (because the cause is something else). These confusions, of course, are not of BAS's making -- although they would be ameliorated if BAS made available even the most basic public information about what kinds of problems BAS addresses. More troubling are jurisdictional confusions within BAS itself.

BAS has several categories of inspectors involved with multifamily residential housing: Building Inspectors, Electrical Inspectors, Plumbing Inspectors, Heating Inspectors. One inspection illustrates some of the problems and inefficiencies that result from the system of specialization, as it is actually carried out:

> *A Building Inspector was referred to [address] for broken windows and no heat. On arrival, the tenant also complained of leaking plumbing. After inspecting that unit and verifying the broken window the inspector was called into a second unit where the occupant asked him to inspect the broken windows. The inspector observed that there were no smoke detectors. When asked if the conditions the Building Inspector saw meant that most likely that other units did not have smoke detectors, he said yes, but that he did not have*

[27] Interview conducted 3/7/97

the time to inspect the whole building and would refer it to SITF [Special Inspections Task Force]. He referred the lack of smoke detectors to a specialized Electrical Inspector, and a leaking sink to a specialized Plumbing Inspector.[28]

No doubt there are many situations in the best designed system where the specialized knowledge of electrical or plumbing systems might be required. But there is no reason to believe that the great majority of substandard housing conditions are beyond the training and experience of even a moderately well-trained generalist inspector. Based on our (admittedly limited) information, it appears that the potential for dodging responsibility that is intrinsic to such a fragmented, specialized system may be being fully realized at BAS.

E. Even when subject matter jurisdiction is clear, there is rarely any continuing responsibility or accountability for even a single problem in a single building.

These jurisdictional problems only begin at the initial complaint stage. The lack of accountability results in even more confusion once the enforcement process gets fully under way. Consider the following account given by a tenant caught up in the process:

A tenant who reported a housing code violation to the Complaint and Referral Division of BAS eventually had 10-15 different inspectors come to her apartment. Each inspector was different from the last and none of them had any idea what the previous inspectors had done. Even after confirmation of violations, it sometimes took more than a month to get any inspector, let alone the same one, to come to the property and inspect. Often, if the inspector showed up and no one was home, he would not leave a note and the tenant was required to start the whole process over again by contacting BAS and filing a brand new complaint.[29]

Those complaints received by BAS are handled through an immensely complicated system, as detailed in more detail at Exhibit F. If the initial series of notices, orders, and conversations does not achieve compliance, then -- at least in theory -- cases are referred to the Investigations Division. Investigation Division staff then re-contact the property owner, re-inspect for the violation, setup a new system of compliance dates and extensions, and if necessary proceed with the City Attorney to schedule hearings and eventually court action.

Within all parts of the system, Investigations Division has the reputation -- deserved or not -- of being a "black hole" for complaints. Complaint and Referral Division field inspectors claim Investigations Division often returns cases unresolved after a long delay. Investigation Division staff contend that many old and minor cases are referred to the Investigation Division from the Complaint and Referral Division, without adequate initial follow-up to permit further action by Investigations Division. One City

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[28] Interview conducted 3/7/97

[29] Tenant preferring to remain anonymous, interviewed by Alanna Regan.

Council staffer opined that hearing that a constituent complaint has been referred to Investigations Division "is sometimes the worst thing we can hear because the follow-up essentially starts all over again, takes another six months and may never resolve the complaint."

As best we can judge, the reason for having an Investigation Division in the first place is that only the Investigations Division inspectors are adequately trained to prepare the necessary evidentiary foundation for cases to proceed to the City Attorney.[30] But if this is the *raison d'être* for the Investigations Division, the results are not impressive. In FY 1995-96, Investigations Division completed 1819 cases, conducted 546 City Attorney hearings, participated in the filing of 19 cases in court and the obtaining of 5 convictions.[31] In the first nine months of 1996-97, Investigations Division had completed 762 cases, conducted 539 City Attorney hearings, and participated in the filing of 17 court cases. These data reflect an average of about *one* court case per Investigations Division investigator *per year*.

"City Attorney hearings" are actually informal conferences at which the prospect of impending prosecution is presented to the offending landlord. While no doubt effective with small operators and first time offenders, most repeat offenders and their lawyers have no difficulty calculating the actual odds of prosecution.[32] The kind of technical competence required for court actions is not required for these hearings. Moreover, it appears that Investigations Division inspectors add only the following to the enforcement system: the ability to prepare and document facts concerning violations; and the ability to ascertain legal ownership. If front line inspectors were adequately trained to document their cases, and to give notices with appropriate citation to the proper code sections, so far as we can tell, the enforcement duties of the Investigations Division would be superfluous, now that ownership information is readily available through commercial services.

The unnecessary redundancy of the Investigations Division is troubling for two reasons. First, the Investigations Division has considerable resources that might be better spent on other activities. According to the current personnel roster, Investigations Division has nineteen (19) investigators, all of whom are trained inspectors. This is, for example, nearly five (5) times the number of inspectors assigned by BAS to the Slum

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[30] We should note that Investigations also handles other matters, including internal investigations within BAS. According to the Inspection Performance Report for March, 1997 (Document #94) during the first 9 months of the fiscal year, Investigations had handled 276 "special investigations," compared to a total of 14852 total "investigations made."

[31] Investigations Division, Inspection Performance Reports, June 1996 Document #94.

[32] Opinions vary considerably about the actual consequences of "City Attorney hearings" at obtaining compliance. Some insiders estimate that they are 75% effective. Others judge that these hearings are yet another in the long series of opportunities for slumlords to buy time with promises and statements of good intention. Our investigation on this topic is continuing. If in fact City Attorney hearings are quite effective at getting a kind of "11th hour" compliance, then query: why are they not used earlier -- often months earlier -- in the process?

Housing Task Force. Second, adding Investigations Division to the enforcement process appears to prolong enforcement considerably. In March, 1997, the Investigations Division had a backlog of 1769 cases (including 811 cases left over from the 1994 earthquake), and was completing cases at the rate of only 84 per month.[33] These data suggest that Investigations Division's reputation as a "black hole" for cases may not be merely the product of intrabureaucratic rivalries.

F. The general enforcement philosophy implemented by BAS, as with other agencies, is contrary to statutory mandates and sound public policy.

Like other participants in the code enforcement system, BAS functions on the principle that it is only eventual compliance that matters. In the Complaint and Referral section, initial inspections are followed about 45 days after the initial order by a "progress inspection." If some progress is claimed or evident (issuance of a permit, for example), then further action is deferred, typically for 30 days.[34] Then the process is repeated. Only if several (typically, three) efforts at obtaining compliance are unsuccessful, do Complaint and Referral inspectors refer cases to Investigations Division.

In the Investigations Division, the inspection process begins from the beginning with yet another notice to the owner, this time a notice that the case has been transferred to Investigations, giving the owner 10 days to respond. If the owner responds, the Investigations inspector will "work with" the owner, in precisely the same way that a Complaint and Referral Inspector would have done, had the owner evidenced some sign of cooperation. More delays are granted on some claim or evidence of "progress". If the owner does not respond, the Investigations inspector will make yet another inspection of the property to verify the violation, in order to make sure that the violation has not been remedied. Occasionally, this reinspection leads to further interaction with the owner and, if there is some claim or evidence of progress, the matter will be delayed further.

Even if there is no compliance and no cooperation, the only result is that Investigations Division schedules the matter for a "City Attorney hearing." At these "hearings" -- actually informal conferences in the office of the City Attorney, conducted by lay staff members -- owners are given yet another chance to comply with the law. Those that promise efforts at compliance are given yet another chance. Only those that either completely rebuff or ignore all these opportunities to comply with the law face even the possibility of prosecution. And, it is a slim chance indeed, as Investigations Division's own performance reports indicate: of all cases referred to Investigations Division, about one in a hundred leads to a court filing.[35]

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[33] Investigations Division, Inspection Performance Report, March, 1997, Document #94.

[34] We were told of one case in which a notorious slumlord managed to put the BAS enforcement process on hold for months simply by applying for a permit -- though no actual work was ever done.

[35] Investigations Division, Inspection Performance Reports, June 1996 and March, 1997, Document #94.

G. The present BAS code enforcement system, as actually implemented, presents virtually no actual incentives for owners to comply with the law or to avoid deterioration and decline.

In the context of law enforcement generally, both expert opinion and common sense agree that in order to deter potential offenders, an effective system presents reasonably certain negative consequences, administered with reasonable speed, to those inclined to violate the law. The BAS system, taken as a whole, has none of those features. First, there is no certainty that even severe violations will be brought to the attention of BAS by way of a complaint. City Council field staff in more than one district told us that they often find that the worst buildings that come to their attention have no outstanding complaints at BAS. Given the real disincentives for many tenants to complain about conditions and the difficulty in accessing the complaint process, this is not surprising.

Second, all but the most naive owners know that there will be many, many opportunities, over a very long period of time, to avoid unpleasant consequences. These perceptions are justified both by the way the system works, as described above, and by the empirical facts. What justice there is is not swift. In April, 1997, BAS had 3839 "open order complaint" orders on apartments that had been open *for at least six months.*[36] Before facing any consequence other than a noncompliance fee, an offending owner has many, typically at least five, chances to avoid any significant adverse consequence.[37] Any rational slumlord, acting purely on economics, would delay taking action until the last possible moment, often many months after the first inspector personally observed violations of law. Moreover, the "last possible moment" can be very late indeed. As noted above, apart from the SHTF, BAS inspection activities result in a tiny number of misdemeanor prosecutions. Each year, with several thousand complaints coming into the system, and after more than 50,000 multifamily inspections being conducted as a result, fewer than 20 misdemeanor cases are filed. As a matter of statistics, even if a complaint is generated and inspections take place, the odds of an eventual prosecution are roughly 1 in 2,500. During the year and nine months beginning July 1, 1995, the result was 14 convictions and 4 "dismissals with compliance." Finally, of course, a "conviction" can mean many different things. We have been unable to secure empirical data about the sentences imposed in the one conviction per month generated by this system, but the anecdotal evidence is that a conviction most often results only in a small fine and probation, accompanied by more promises to comply in the future. Insiders attribute these results chiefly to the lack of education among judges about the serious consequences

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[36] Printout dated 4/11/97: "Department of Building and Safety - Bureau of Community Safety, Summary Statistic for all apartment open order complaints that are at least 180 days old" (Document #91)

[37] This includes, typically, three inspection/reinspection cycles with the Complaint and Referral inspector, a letter from the Investigations Division, and a City Attorney Hearing. Of course, even after a case is filed, it may be dismissed on an agreement to comply.

that attend slum housing conditions, and on attitudes toward seemingly trivial violations among judges accustomed to handling cases involving more dramatic and violent events.

Third, the one alternative to prosecution that is actually employed in some cases -- the noncompliance fee system -- is, as implemented, a pale substitute for code enforcement, at least in serious cases. BAS policy is that noncompliance fees are to be assessed only as a last resort, "only when the inspector believes that compliance cannot be achieved otherwise" and never in cases where the "property owner convincingly demonstrates a willingness toward compliance or makes some progress toward compliance"[38] When assessed, noncompliance fees are easily absorbed as a "cost of doing business": the fee in residential buildings ranges from $70 to $90 per unit[39]. Finally, as every sophisticated "milker" of slum property knows, being billed is not the same thing as having to pay, perhaps especially when the creditor is the City. The 1996 Controller's audit found that BAS had a 16% collection rate, and that $1.3 million in noncompliance fees were beyond the statute of limitations.[40] We have no current information as to whether changes since the audit have improved these results.

IV. Recommendations.

Based on the foregoing findings and upon the results of our review of some of the housing code enforcement systems in place in other cities in California and elsewhere, we make several recommendations for addressing and preventing slum housing conditions in the City. The principles underlying these recommendations are as follows:

A. Housing code enforcement cannot address all the causes of slum housing, but it can in many cases provide a set of incentives to owners to increase maintenance to minimal levels, and a set of significant disincentives to slumlords who would otherwise "milk" buildings to the point of abandonment.

B. A primary goal of housing code enforcement should be timely and effective intervention to prevent standard housing from becoming slum or abandoned housing. This requires both accurate, timely, detailed information about the state of the City's housing stock, and allocation of significant code enforcement resources toward housing at risk of serious deterioration.

C. A rational housing code enforcement system should recognize that there is no single cause of slum housing or universal stereotype of slum housing owner. This means having available a range of effective enforcement tools and incentives that can be used in

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[38] BAS policy, as quoted in audit conducted by City Controller, transmitted to Council on May 17, 1996.
[39] L.A.M.C. Section 98.0411, Table 4-D.
[40] Office of the Controller, "Audit Report: Department of Building and Safety Noncompliance Inspection Fees," May 17, 1996, pp. 17, 19.

appropriate circumstances. Some owners, ordinary landlords whose property deteriorates for lack of attention or minimal maintenance, require only notice or the threat of a fine. More serious enforcement, perhaps including injunctions barring owning property in the City, is required with regard to those owners who consciously adopt a business practice of slumlording and "milking" property to abandonment.

Applying these principles to our factual findings and for reasons we detail below, we recommend that the City of Los Angeles seriously consider these proposals for reform:

1. *We recommend the adoption of routine, periodic inspections of all rental housing, with the frequency and intensity of inspection determined by the conditions of the building and estimates of the risk of deterioration.* This would entail an initial survey of all buildings as in Pasadena and San Francisco, followed by periodic reinspections at intervals of six months to four years, depending on the initial state of the building. If universal inspection cannot be carried out on a citywide basis, the program could begin on a pilot basis in selected areas.

2. *We recommend that complaint-driven systems be retained as a supplement to periodic inspection but made accessible to those most likely to be in need of them.* At a minimum, this means having basic information and complaint intake points available to those who speak the languages most used in Los Angeles. It also means complying with existing laws that put complaining tenants "in the loop" about the results of inspections. We recommend that Los Angeles look to the recent positive experience of San Francisco in building partnerships between code enforcement agencies, neighborhood groups, tenant groups, nonprofit organizations, and landlord groups.

3. *We recommend the City explore creation of a single-purpose Housing Inspection and Enforcement Service with a clear mandate and mission to enforce all health and housing codes in existing residential housing within the City of Los Angeles.* We believe that it is important that a single agency be given responsibility for enforcing laws and ordinances governing existing housing, undistracted by other major responsibilities. We make no specific recommendation with regard to the location of this entity within existing structures of local government, but we do offer some alternatives for evaluation, including: (a) Reorganizing the resources and responsibilities within BAS to give a clearly defined group of City personnel both the power and responsibility to vigorously enforce ordinances and laws designed to prevent slum housing; (b) creation of a new City Department during the process of charter reform; (c) reassignment of basic and routine housing inspection from BAS to the Housing Department, to be consolidated there with the Housing Departments other regulatory functions (Rent Stabilization, REAP, HEP); (d) contracting out basic and routine housing inspection from the City to the County Health Services Department; or (e) amending the 1964 compact between the City and the County such that the City would reassume responsibility for enforcing health codes applicable to rental housing, and also recapture the revenue stream generated by the

annual license fee on apartment buildings with five or more units. If the decision is made to preserve the existing system as between the City and County, then those resources within the City should be reorganized to give a single set of City staff the *single* mission, *adequate* resources, and *clear* responsibility to enforce laws and ordinances regarding existing rental housing.

4. *We recommend that the housing code enforcement process, either in existing agencies or a new consolidated agency, be restructured so as to have the following features:*

a. *A change in the basic framing and functional definition of "compliance" with housing codes from the specific defect to the entire unit or building.* This would mean that a unit or building would not be considered in compliance merely because the specific defects originally noticed have been remedied, if significant other violations remained on reinspection.

b. *A clear allocation of responsibility throughout the inspection and enforcement process, from initial complaint to final compliance or other resolution, to one person or small team, together with reasonable measures to monitor the quality of inspections conducted and clear performance standards as to the results obtained.* If violations continue unabated without action, both City officials and members of the public should be able to identify who is responsible.

c. *Clear, definite and time-limited mandates for obtaining actual compliance, with consistent and clearly communicated enforcement consequences where compliance is not achieved.* In the case of obvious and significant violations of which the owner or tenant plainly had actual notice, this might mean a citation, issued on the spot by the inspector to the offending owner or tenant. In other cases, it would mean continuing the existing practice of giving time to comply, but with time limits appropriate to the seriousness of the violation. In all cases, it would mean putting an end to the possibility of the endless "loop" of inspection, notice, partial compliance, reinspection, renotice, and so on. The system should be reasonable, to both owners and tenants, but it should also be clear, definite and certain. Although the existing system of "office hearings" and "City Attorney hearings" (at which prosecution is threatened) might be maintained, violations should not be cleared merely on the basis of promises. These procedures should be reserved for first time offenders. Nor should serious violations be cleared without giving those most directly affected, typically tenants, an opportunity to present facts to the contrary. The basic principles behind the "Victim's Bill of Rights" have some applicability to these kinds of laws as well. Some of these changes would result in efficiencies, by cutting down the number of reinspections, or permitting the recapture and redeployment of resources now expended in redundant inspections and reinspections by, e.g., the Investigations Bureau of BAS.

d. *Expanded use of a wider range of enforcement devices appropriate to the violations*, including expanding the use of a citation system for less serious violations and injunctions against repeat offenders, to replace the present exclusive reliance (in practice) on a threat of misdemeanor prosecution that is rarely carried out.

e. *The recruiting, training, and assigning of attorneys specialized exclusively in housing code enforcement, whether by misdemeanor prosecution, the handling of citations in court, or the initiation of civil litigation*. In the existing structure, this would mean assigning Deputy City Attorneys to work exclusively on housing code enforcement, beyond the narrow focus of the personnel now assigned to the SHTF and CNAP.

f. *The use of existing technology and existing (and hopefully much improved) information on the condition of rental housing in order to rationally allocate enforcement activities to prevent decline, especially that generated by intentional milking by slumlords*. This would mean integrating information concerning indicators of milking from a variety of sources, such as unpaid water and electric bills at the Department of Water and Power and unpaid property taxes at the County Assessor. A model worthy of close study, the Neighborhood Early Warning System, is already in place in Chicago.

g. *The funding of housing inspection and code enforcement activities out of funds generated by those activities, with minimal reliance on the general fund and with costs allocated most heavily to those who violate the law*. This would mean that all tenants would pay a rental surcharge sufficient to pay for the actual cost of the periodic, universal inspection. All other costs would be born by those found to be in violation, whether by citation and fine, reinspection fee, or noncompliance fee. Recovery of these costs would be by way both of lien on the property and civil action.

h. *Ongoing monitoring of housing code enforcement efforts by a citizen commission appointed specifically for that purpose*, including representatives of both landlords and tenants and others, charged with the responsibility to measure and report progress in the implementation of reforms and on their consequences in the community.

City of Los Angeles

Properties Placed in Rent Escrow Account Program (REAP)

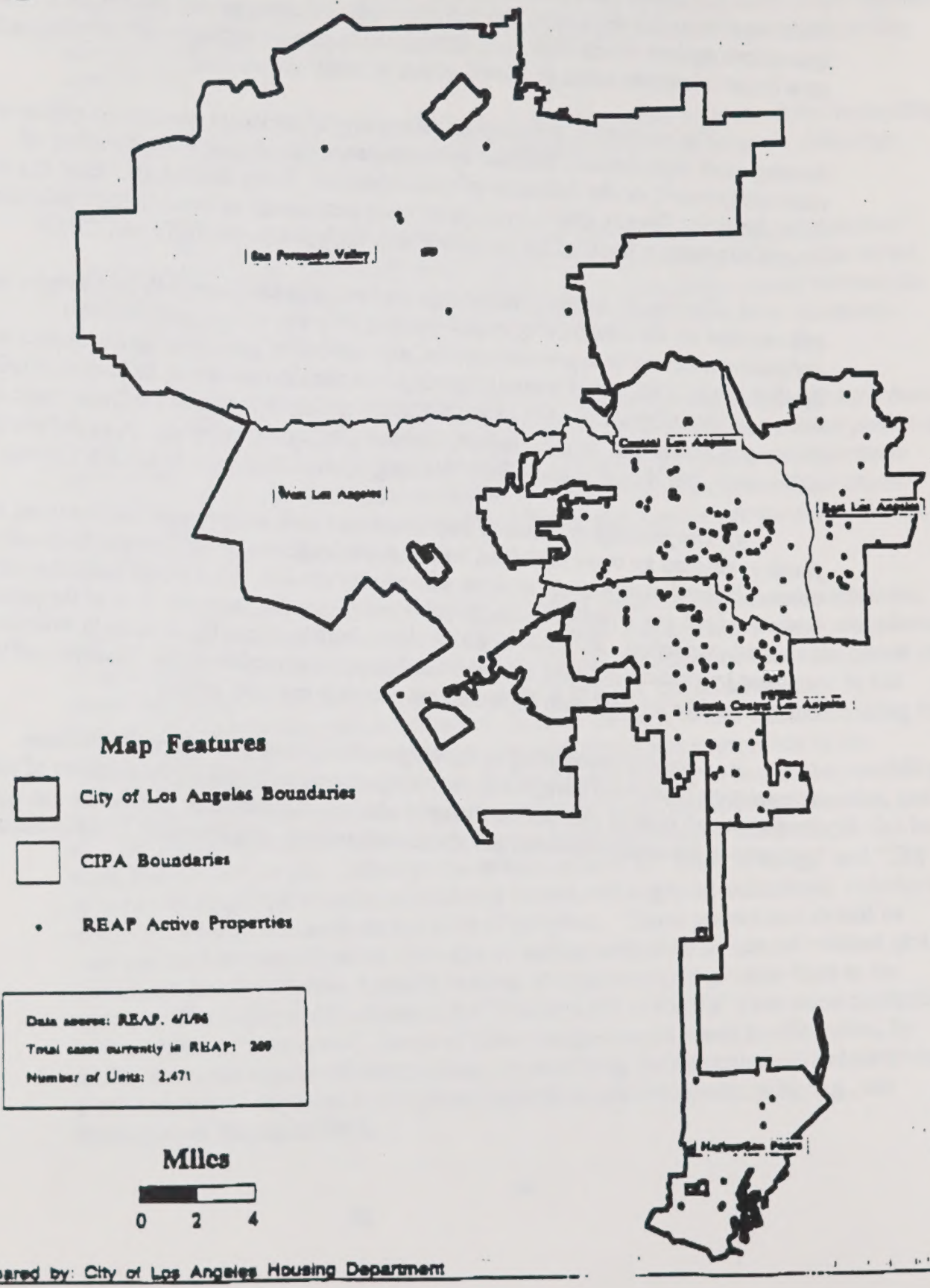
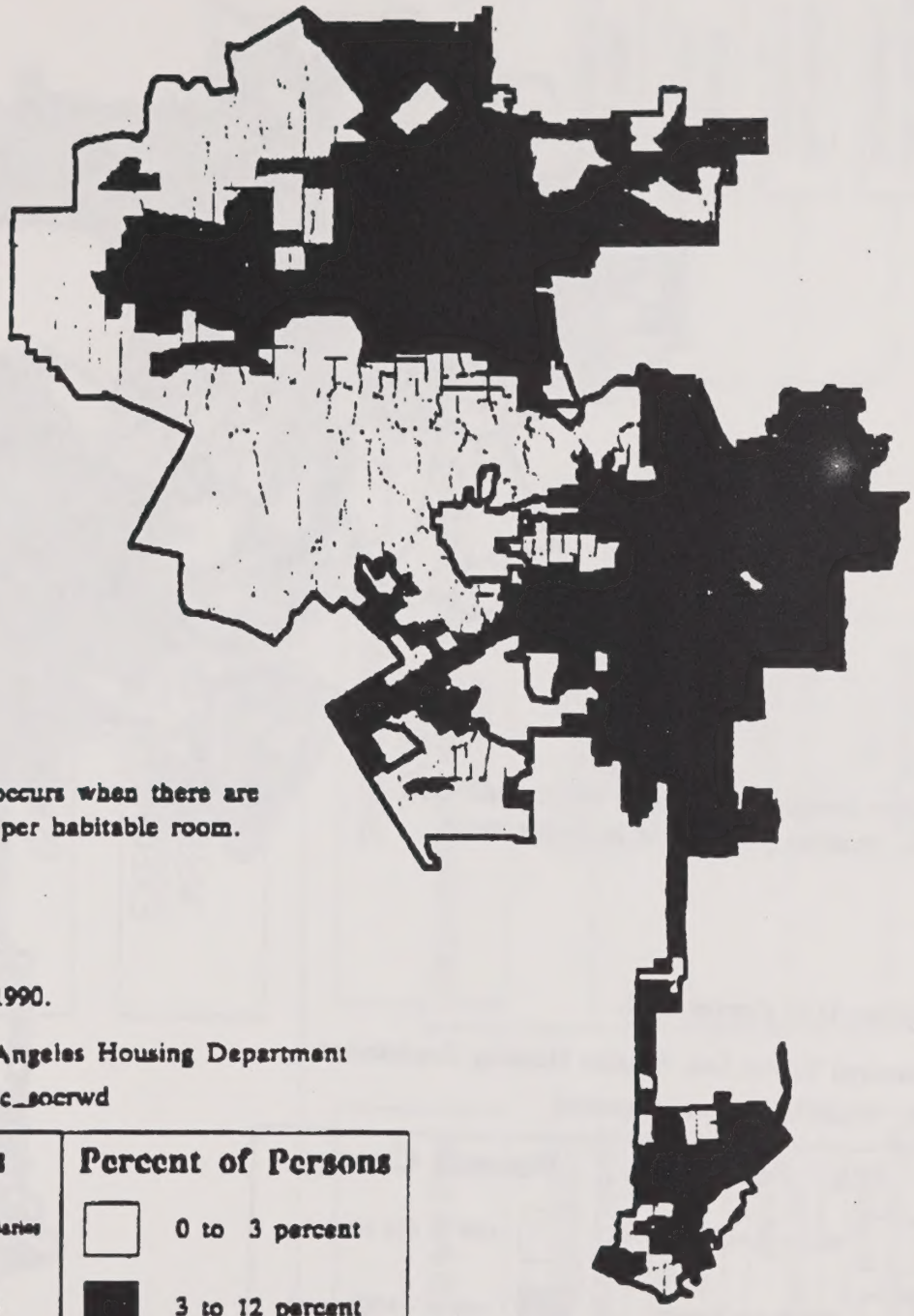


EXHIBIT A

City of Los Angeles
Severe Overcrowding, 1990



Severe overcrowding occurs when there are 1.51 or more persons per habitable room.

Source: U.S. Census 1990.

Prepared by the Los Angeles Housing Department
jw, 6/19/95, d:\geo\c_socrwd

Map Features	Percent of Persons
Census Tract Boundaries	0 to 3 percent
City of Los Angeles	3 to 12 percent
	12 to 27 percent
	27 to 99 percent
	In Quantiles

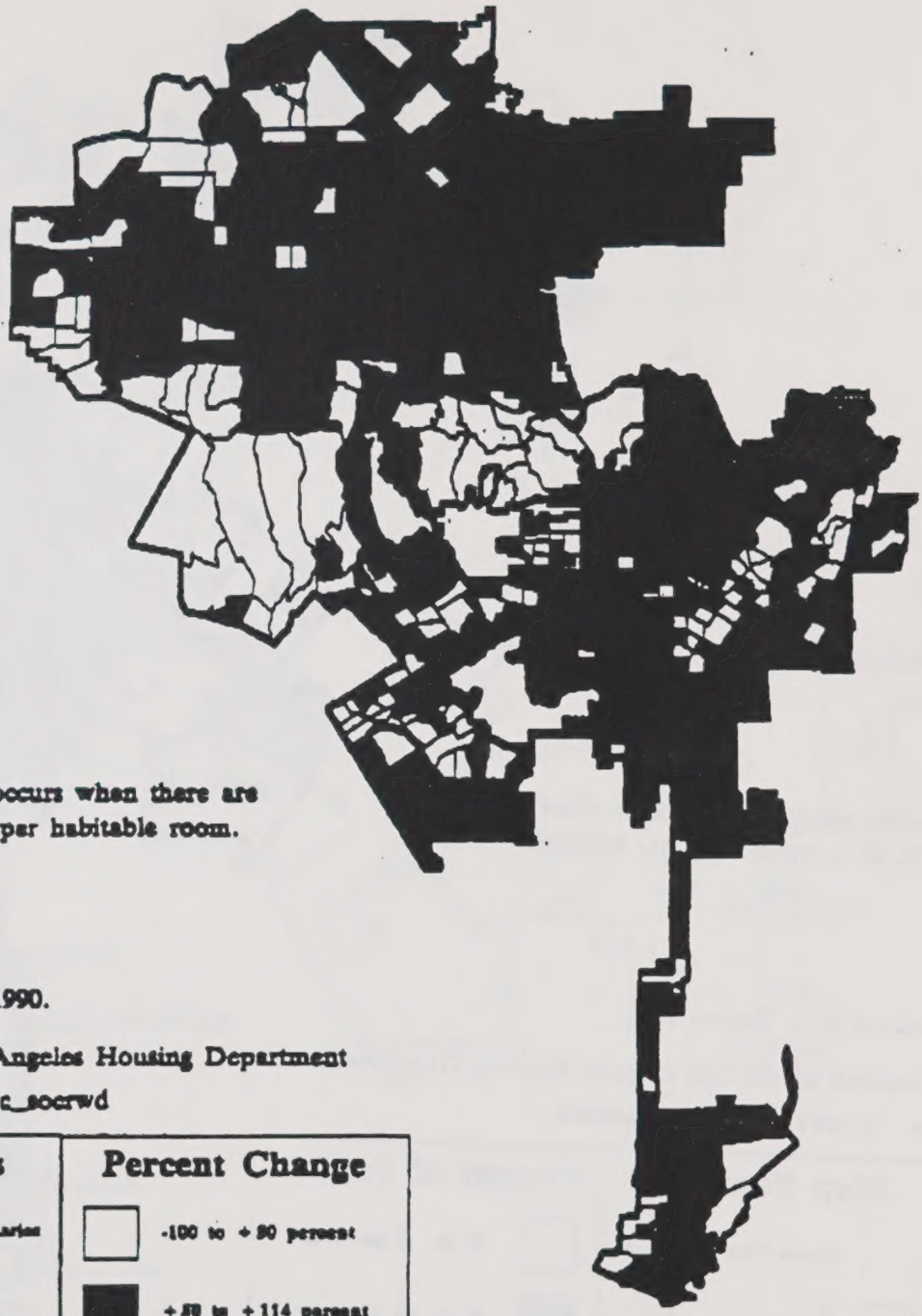
N

Miles
0 5 10

EXHIBIT B

City of Los Angeles

Percent Change in Severe Overcrowding, 1980-1990



Severe overcrowding occurs when there are 1.51 or more persons per habitable room.

Source: U.S. Census 1990.

Prepared by the Los Angeles Housing Department
jw, 6/19/95, d:\geo\c_socrwd

Map Features

- Census Tract Boundaries
- City of Los Angeles

Percent Change

- -100 to +50 percent
- +50 to +114 percent
- +114 to +202 percent
- +202 to +1,400 percent

In Quantiles

N

Miles

0 5 10

EXHIBIT C

EXHIBIT D

Chart 1

DEPARTMENT OF BUILDING AND SAFETY

GENERAL MANAGER
ARTHUR J. JOHNSON, Jr.
(213) 847-7715

EXECUTIVE OFFICER
ARTHUR C. DEVINE
(213) 847-7716

INSPECTION BUREAU
ROBERT J. MARTIN (213) 847-7730
(See Chart 2)

- COMMERCIAL BLDG INSP DIV
- BUILDING INSPECTION
- SPECIALTY INSPECTION
- ELECTRICAL INSPECTION
- PLBG & HTG/REF INSPECTION
- ELEV & PRES VES
- COMMUNITY INSPECTION DIV
- RESIDENTIAL INSPECTION
- CODE ENFORCEMENT
- OFFICE ADMINISTRATION
- INVESTIGATIONS

ENGINEERING BUREAU
RICHARD HOLGUIN (213) 847-7733
(See Chart 5)

- PLAN CHECK DIVISION
- VAN NUYS DISTRICT OFFICE
- WEST LA DISTRICT OFFICE
- CASE MANAGEMENT
- COORDINATING DIVISION

RESOURCE MANAGEMENT BUREAU
GERALD TAKAKI (213) 847-7738
(See Chart 8)

- ADMINISTRATIVE SERVICES
- TRAINING DIVISION
- RESEARCH & DEVELOPMENT
- MANAGEMENT ASSISTANCE DIV

EXHIBIT D-1

Chart 2

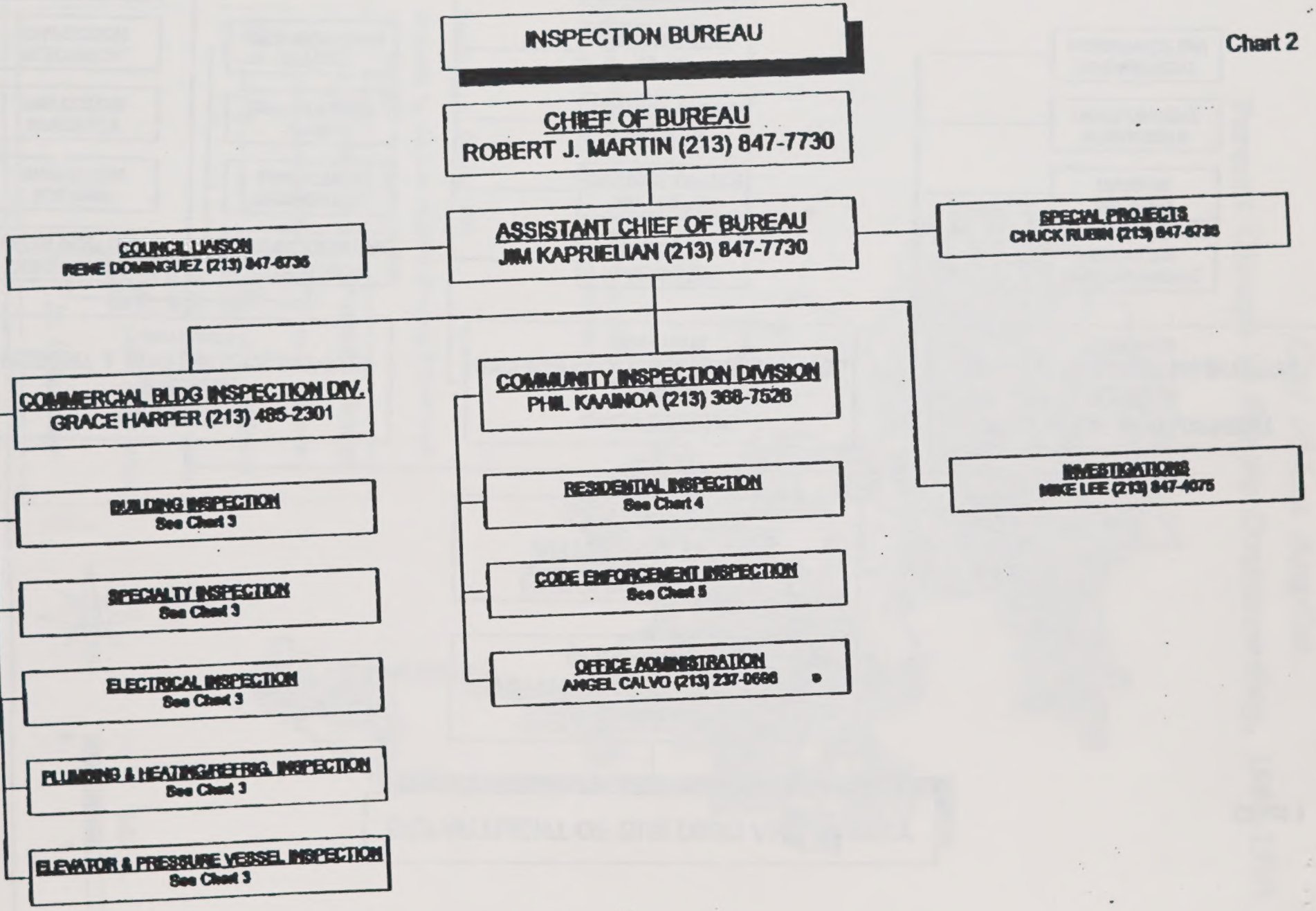


EXHIBIT D-2

Chart 3

INSPECTION BUREAU

CHIEF OF BUREAU
ROBERT J. MARTIN (213) 847-7730

ASSISTANT CHIEF OF BUREAU
JIM KAPRIELIAN (213) 847-7730

COMMERCIAL BLDG INSPECTION DIV
GRACE HARPER (213) 485-2301

BUILDING INSPECTION
RUSS LANE
(213) 485-2366

METRO
Tim DONALD HUBINA TIMOTHY
(213) 485-2366

PUBLIC COUNTER
TIM GRIFFITH
(213) 485-2366

VAN NUYS
DONALD ROBERT HEINE
(818) 756-8206

WEST L.A.
JIM RILEY
(310) 575-8080

SPECIALTY INSPECTION
ERNIE HERRERA
(213) 485-3435

GRADING INSPECTION
TERRY BURGIN
(213) 237-3278

PUBLIC COUNTER
(213) 485-3435

EARTHQUAKE INSPECTION
SCOTT McGILL
(213) 485-8401

DISABLED ACCESS INSP
HENRY PORTER
(213) 485-8504

MATERIALS CONTROL

ELECTRICAL INSP
GARY WILSON
(213) 485-2311

METRO
BOB ENGLAND
(213) 485-2311

PUBLIC COUNTER
BOB BALL
(213) 485-2333

VAN NUYS
LEONARD LEON
(818) 756-8281

WEST L.A.
JOHN DRYER
(310) 575-8037

SAN PEDRO
STEVE SIANI

PLBG & HTG/REF INSP
ED SANCHEZ
(213) 847-6048

PLUMBING INSPECTION
LARRY SOSKIN
(213) 847-6049

PUBLIC COUNTER
(213) 485-7865

HTG/REFRIG. INSPECTION
ED SANCHEZ
(213) 847-6048

PUBLIC COUNTER
(213) 485-7864

FIRE SPRINKLER/ STANDPIPE INSPECTION

ELEV/PRESSURE VESSL
HARVEY LEDESMA
(213) 485-3541

ELEVATOR INSPECTION
LANCE WONG
(213) 485-3541

PRESSURE VESSEL INSP
JOVIE ACLARO
(213) 485-0714

JUL 25 '97 10:00AM FIELD/CONSTITUENT

Chart 4

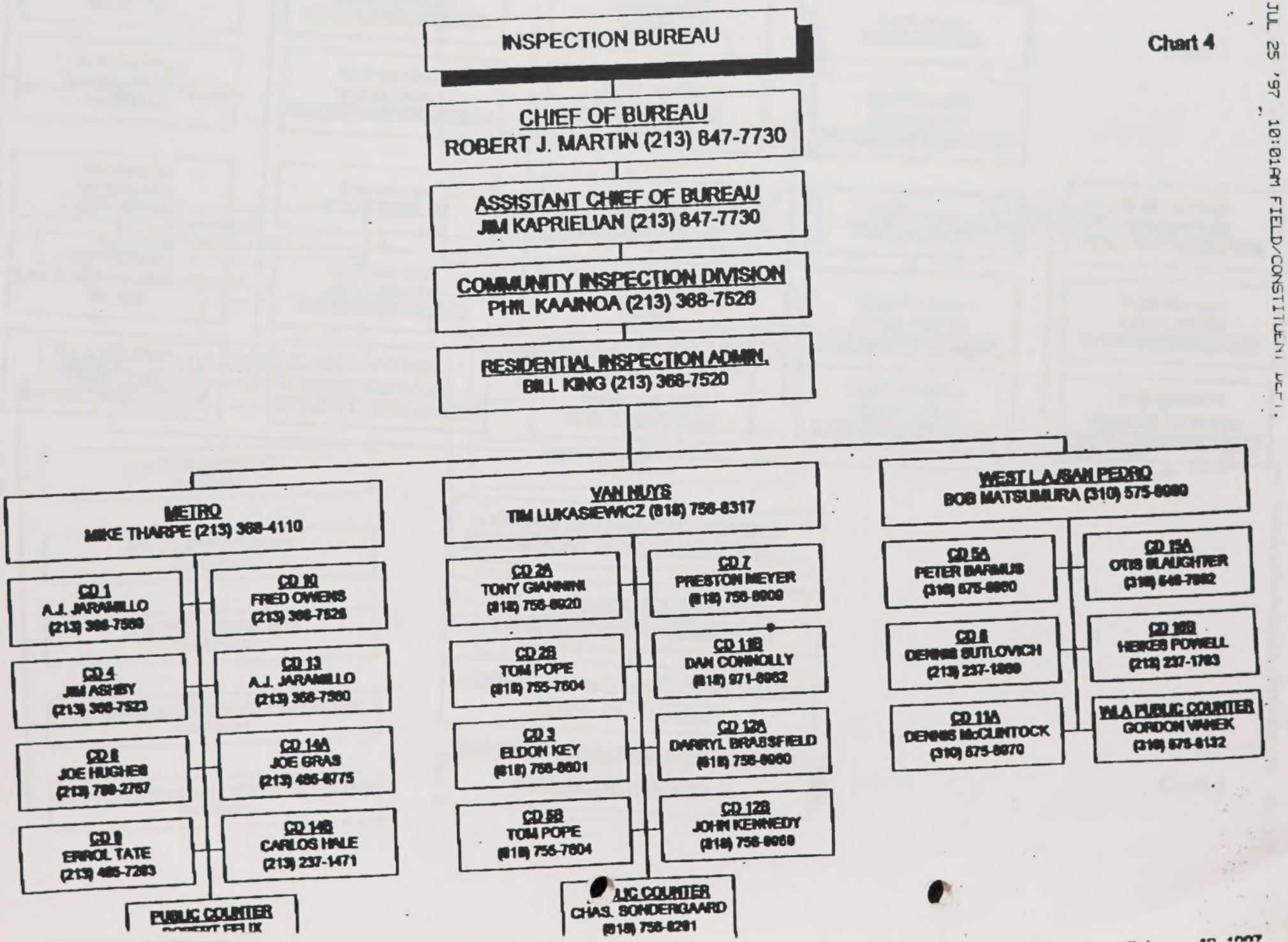

INSPECTION BUREAU
CHIEF OF BUREAU
ROBERT J. MARTIN (213) 847-7730
ASSISTANT CHIEF OF BUREAU
JIM KAPRIELIAN (213) 847-7730
COMMUNITY INSPECTION DIVISION
PHIL KAAINOA (213) 368-7526
RESIDENTIAL INSPECTION ADMIN.
BILL KING (213) 368-7520
METRO
MIKE THARPE (213) 368-4110
CD 1
A.J. JARAMILLO
(213) 368-7569
CD 4
JIM ASHBY
(213) 368-7523
CD 8
JOE HUGHES
(213) 789-2767
CD 9
ERROL TATE
(213) 485-7283
CD 10
FRED OWENS
(213) 368-7526
CD 13
A.J. JARAMILLO
(213) 368-7560
CD 14A
JOE GRAS
(213) 485-8775
CD 14B
CARLOS HALE
(213) 237-1471
PUBLIC COUNTER
VAN NUYS
TIM LUKASIEWICZ (818) 756-8317
CD 2A
TONY GIANNINI
(818) 756-8920
CD 2B
TOM POPE
(818) 755-7604
CD 3
ELDON KEY
(818) 756-8601
CD 5B
TOM POPE
(818) 755-7604
CD 7
PRESTON MEYER
(818) 756-8909
CD 11B
DAN CONNOLLY
(818) 971-8962
CD 12A
DARRYL BRABSFIELD
(818) 756-8960
CD 12B
JOHN KENNEDY
(818) 756-8969
AJC COUNTER
CHAS. SONDERGAARD
(818) 756-8291
WEST LA/SAN PEDRO
BOB MATSUMURA (310) 575-8080
CD 5A
PETER BARMUS
(310) 575-8800
CD 6
DENNIS SUTLOVICH
(213) 237-1800
CD 11A
DENNIS McCLINTOCK
(310) 575-8870
CD 15A
OTIS SLAUGHTER
(310) 548-7582
CD 15B
HERBERT POWELL
(213) 237-1783
WLA PUBLIC COUNTER
GORDON VANEK
(310) 575-8132

Chart 5

INSPECTION BUREAU

CHIEF OF BUREAU
ROBERT J. MARTIN (213) 847-7730

ASSISTANT CHIEF OF BUREAU
JIM KAPRIELIAN (213) 847-7730

COMMUNITY INSPECTION DIVISION
PHIL KAAINOA (213) 368-7528

CODE ENFORCEMENT ADMIN.
RICHARD SANCHEZ (213) 485-2290

COMPLAINT & REFERRAL INSPECTION SUPERVISION
RON SKARIN (213) 237-1494

- **CD 1, 8, 9, 15**
  DENNIS CONNOLLY (213) 237-1921
- **CD 4, 10, 13, 14**
  TODD BORZI (213) 485-7662
- **CD 2, 3, 5, 7, 11, 12**
  BRIAN TRUPIN (818) 756-8649
- **PLUMBING & HEATING-REFRIGERATION**
  PHIL BEAUFORD (818) 756-7622
- **ELECTRICAL**
  CARL MANZEL (213) 237-1461
- **HOUSING TASK FORCE**
  DAVE LIPMAN (818) 756-7691
- **SPECIAL INSPECTION TASK FORCE**
  (213) 237-1460

SPECIALIZED INSPECTION SUPERVISION
AL GARCIA (213) 485-7010

- **CITATION PROGRAM**
  METRO-JEFF PAXTON (213) 368-7554
  VN - TOM PRUETT (818) 765-7602
- **VEHICLE ESTAB. INSPECTION**
  BILL SHELTON (213) 485-7026
  JOE ROSALES (818) 756-7516
- **SIGN INSPECTION**
  ABANDONED VEHICLE INSPECTION
  SECURITY BARS & GRILLES INSP.
  BUILDING RELOCATION
  JOE CLARK (213) 237-1477
- **SPECIAL EVENTS / TENT INSPECTION**
  BILL HART (213) 237-1459

NUISANCE ABATEMENT INSPECTION SUPERVISION
DOMINGO SAUCEDA (213) 237-1551

- **CONTRACT NUISANCE ABATEMENT**
  JOE HERNANDEZ (213) 237-1481
  MARK MORROW (213) 237-0824
- **EARTHQUAKE ABATEMENT INSPEC.**
  ELVIRA GUARDADO (213) 237-1467
- **PROBLEM PROPERTY RESOLUTION TEAM INSPECTION**
  FRANK BUSH (213) 368-7271

EXHIBIT D-4

EXHIBIT D-5

Chart 6

ENGINEEERING BUREAU

CHIEF OF BUREAU
RICHARD HOLGUIN (213)847-7733

ASSISTANT CHIEF OF BUREAU
KARL DEPPE (213) 847-7733

SPECIAL PROJECTS
SHELDON LEIMSIDER (213)847-3117

PLAN CHECK DIVISION
VIC PENERA (213) 847-4121

- **STRUCTURAL ENGINEERING** — See Chart 7
- **GRADING** — See Chart 7
- **ZONING/TRAINING** — See Chart 7
- **DISABLED ACCESS** — See Chart 7
- **ELECTRICAL ENGINEERING** — See Chart 7
- **MECHANICAL ENGINEERING** — See Chart 7

COORDINATING DIVISION
PRECILLA ORTIZ (213) 847-0367

- **PLAN & PERMIT COORDINATING**
  DAVID DIZON (213) 485-8611
  BILL MOORE (213) 485-8441
- **METRO**
  JULIO ZAFRA (213) 237-1295
- **VAN NUYS**
  ROLANDO SOLANGA (818) 756-8058
- **WLA**
  CHARLES CANNING (310) 575-8116
- **ZONING COORDINATION**
  LISE' DELAY (213) 237-1846
- **ZONING COORDINATION**
  SUSAN HALLSTEAD (213) 237-1300
- **METRO CLERICAL SUPERVISION**
  LINDA GORDON (213) 485-7095

VAN NUYS DISTRICT OFFICE
BOB HARDER (818) 756-8257

WEST L.A. DISTRICT OFFICE
LARRY WESTPHAL (310) 575-8122

SAN PEDRO DISTRICT OFFICE
ALEX BRUCE (310) 548-7554

CASE MANAGEMENT
RAY CHAN (213) 485-8362

- **METRO**
  DAVE LARA (213) 485-8370
- **VAN NUYS**
  IFA KASHEFI (818) 756-8242

JUL 25 '97 10:03AM FIELD/CONSTITUENT DEPT.

ENGINEEERING BUREAU

CHIEF OF BUREAU
RICHARD HOLGUIN (213)847-7733

ASSISTANT CHIEF OF BUREAU
KARL DEPPE (213) 847-7733

PLAN CHECK DIVISION
VIC PENERA (213) 847-4121

- METRO PLAN CHECK SUPERVISION — PAUL WONG (213) 847-4120
  - METRO PLAN CHECK — ENGINEER (213) 847-4122
  - METRO & WILSHIRE CTR SUPERV. — COLIN KUMABE (213) 485-2450
    - METRO COUNTER (213) 487-7811
    - WILSHIRE COUNTER (213) 368-7564
  - VN PC & CTR SUPERVISION — FRANK OBRIN (818) 756-8242
    - VAN NUYS PC & COUNTER — COUNTER ENGINEER (818) 756-8251
  - WLA & SP PC & CTR SUPERVISION — RON SHIGETA (310) 575-8121
    - CODE & GENERAL INFORMATION — COUNTER ENGINEER (310) 575-8084
    - SAN PEDRO PC & COUNTER — PETE ORTIZ (310) 548-7584
- GRADING SUPERVISION — SEA FAN (213) 847-7148
  - GRADING GEOLOGY — (213) 485-3435
  - GRADING GEOTECHNICAL & GRADING — DAVID HSU (213) 847-2069
  - ZONING/TRAINING SUPERVISION — KEVIN McDONNELL (213) 485-8720
    - ZONING/TRAINING — COUNTER ENGINEER (213) 485-0720
  - DISABLED ACCESS SUPERVISION — HECTOR BUITRAGO (213) 847-7242
- ELECTRICAL ENGINEERING SUPERV. — SIMEON RICO (213) 485-3541
  - E. E. METRO PUBLIC COUNTER — MANNY AGUSTIN (213) 485-5325
  - E. E. METRO PLAN CHECK — BEHZAD EGHTESADY (213) 485-5325
  - E. E. VN PLAN CHECK & COUNTER — ANTHONY BAUERLEIN (818) 756-8049
  - E. E. WLA PLAN CHECK & COUNTER — LILY SOKOLOVSKY (310) 575-8166
  - SAN PEDRO PUBLIC COUNTER — COUNTER ENGINEER (310) 548-7567
  - ELECTRICAL TEST LAB — ELIE MAALOUF (213) 485-2376
- MECHANICAL ENGINEERING SUPERV. — JIM NISHIMOTO (213) 485-3541
  - M. E. METRO PUBLIC COUNTER — DOMENICO BARBATO (213) 485-5321
  - M. E. METRO PLAN CHECK — ALFRED BABAYANS (213) 485-5321
  - M. E. VAN NUYS PUBLIC COUNTER — AMIR TABAKH (818) 756-8243
  - M. E. VAN NUYS PLAN CHECK — AMIR TABAKH (818) 756-8243
  - M.E. WLA PLAN CHECK & COUNTER — SUSIE ADAMIAN (310) 575-8166
  - MECHANICAL TEST LAB — TOM LIU (213) 485-2314

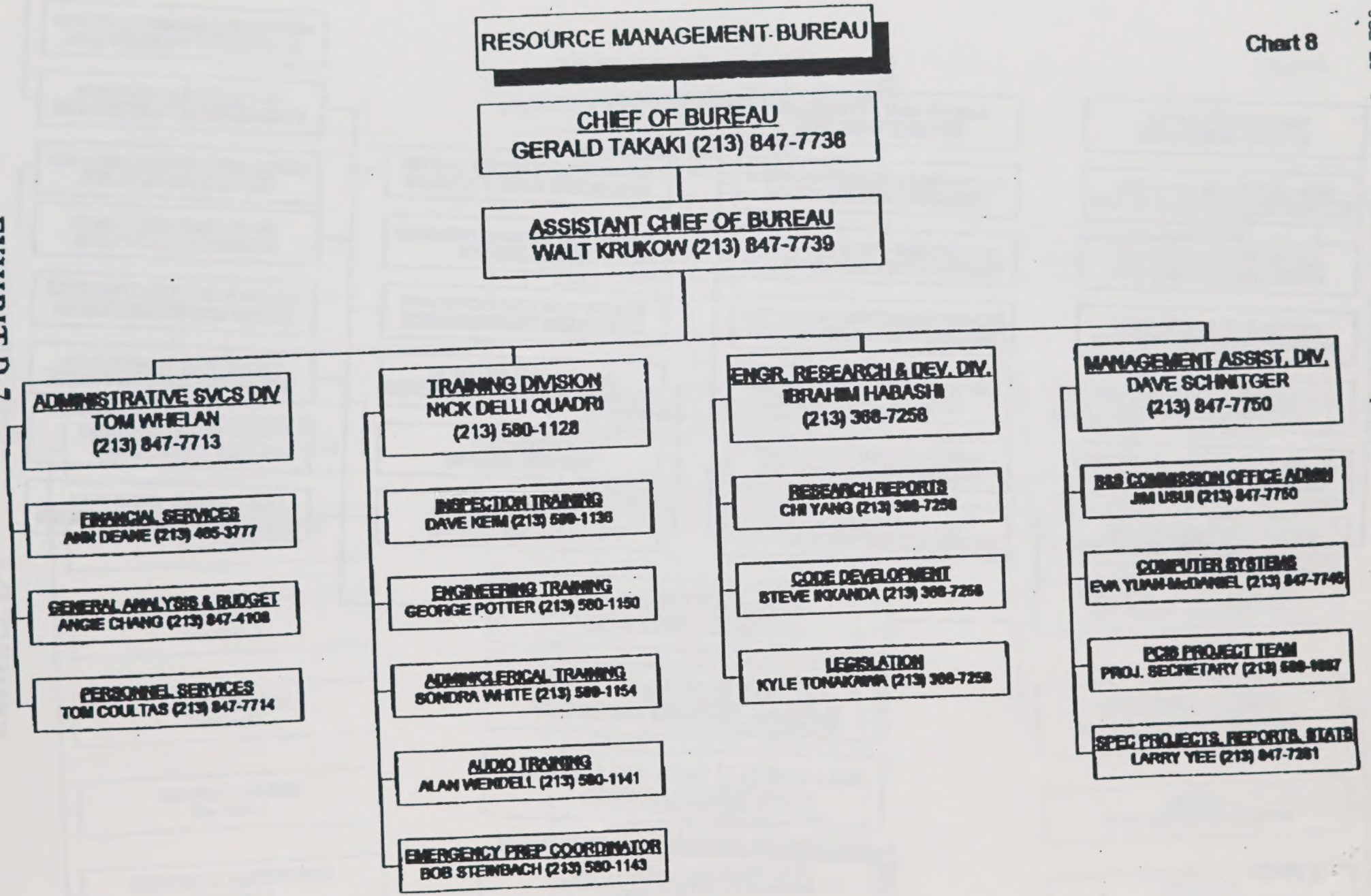


EXHIBIT D-7

JUL 25 '97 10:03AM FIELD/CONSTRUCTION

Department of Building and Safety

Through a visit to the Department of Building and Safety on Wednesday, March 12, 1997 and informational phone calls, I made the following observations:

- The City Department of Building and Safety has one published information number which is (213) 485-2304. This number has a lengthy tape-recorded message only in English which describes a series of numbers that a person can call provided they know their specific problem. 411 Information also has bureau numbers, but the caller must know the exact name of the bureau in order to get the number.

- The Department of Building and Safety information line does not direct non-English speaking callers to a bilingual information line or an operator who speaks other languages.

- Even for English speakers, the lengthy pre-recorded message does not give callers the opportunity to speak with an operator at the conclusion of the pre-recorded message. It disconnects the caller at the end of the message and indicates that the caller must call back if the caller missed a number.

- The pre-recorded message tells the caller that if a message is left with the wrong bureau, the person's message will not be forwarded to the appropriate place. Therefore, a person who does not know their specific problem may end up calling the wrong number and not receive any feedback from the Department of Building and Safety.

- Even if a caller knows their specific problem and calls one of the numbers stated on the information line, the caller may get another pre-recorded message with a series of additional phone numbers.

- Once a person goes to the Department of Building and Safety on the 4th floor of City Hall, there is no main desk or administrative office responsible for directing private parties to the appropriate room. Instead, Room #450 contains a small information desk with one person who is available for answering questions.

- The information worker in Room #450 told me that most people know where they are going when they come to the Department of Building and Safety; therefore, it was unnecessary to have more extensive information available.

- The only general information given to me was a floorplan of the Department of Building and Safety offices. In addition, he suggested that I visit one of the regional offices at 500 Shatto Place for more information.

- After leaving Room #450, I went to the Executive Reception Office in Room #400 where I asked for general information on the Department of Building and Safety and a description of the steps I should take if I wanted to file a housing complaint. The

EXHIBIT E

Executive Offices directed me to Room #406, the Community Safety Bureau.

- Although the staff in the Community Safety Bureau wanted to help me, they explained that no such information existed in print form and instead handed me a telephone directory for the Department of Building and Safety and advised me to go down to the third floor where there were small pamphlets on the various governmental agencies and a description of them.

- By the time I picked up my pamphlet on the third floor, I had spent 2 ½ hours at the Department of Building and Safety and still did not have the information I wanted.

- On Wednesday, March 19, 1997, I went to one of the regional offices for the Department of Building and Safety located at 500 Shatto Place.

- . Before going down there, I contacted the office on two separate occasions. Both people were very guarded over the phone and tried to direct me to another office.

- Although 500 Shatto Place contains an office identified as the Public Counter for Department of Building and Safety, it contains very little public information. The only information given to me was a "Commitment to Quality Service" sheet written in English only. When I requested additional information, I was given for the first time the "Complaint and Referral Phone Lines." #213-368-7562 or 213-368-7563. I called #213-368-7562 and spoke with Inspector Felix who spoke both English and Spanish. I do not understand nor did the regional office understand why this phone number was not given to me at the main offices of the Department of Building and Safety.

Department of Health

Through my visit to the Department of Health and numerous telephone calls to the regional offices, I made the following observations:

- It was much easier to have contact with a human voice when dealing with the Department of Health instead of the Department of Building and Safety. All the numbers given to me by the 411 operator were phone numbers where you had contact with a person rather than a pre-recorded message.

- Before visiting one of the regional offices, I contacted Brenda Ballard at the Department of Health's central office in Monterey Park #213-881-4015. I asked her to send me some general information on the Department of Health. She indicated that she would put the information in the mail that same day. At present, it is eight days after my conversation with Brenda Ballard on March 12, 1997, and I have not received any mail from her.

• On March 19, 1997, I visited one of the regional offices of the Department of Health. Initially, I went to 241 N. Figueroa, the address given to me off information. However, this address is now the home of a health clinic. The people there indicated to me that the Department of Health had moved three months ago yet the 411 operator continues to give out the old address. This could be particularly frustrating to a tenant who may leave work for part of a day to try and handle a problem.

• Finally, I arrived at a regional office at 550 S. Vermont. There were numerous pamphlets available, including one very general brochure on the mission of the Department of Health and its numerous programs and services.

• Many of the pamphlets were available in languages other than English although the general information pamphlet is only in English.

• One of the many pamphlets is a wallet-size card containing the phone number for a Info-Line which directs callers in Spanish and English to the different Los Angeles public service programs, including the Department of Health.

• The Department of Health also publicized within their office an upcoming meeting to educate the public on public health issues including environmental health, vermin and food safety.

• My experience visiting the Department of Public Health was much more positive than my visit to Building and Safety and took a ½ hour once inside rather than a combined total of 3 ½ hours visiting both the main office and regional office of the Department of Building and Safety.

• As a member of the general public, it was far more helpful to be able to speak directly by phone with a person. Pre-recorded messages make it very difficult on the majority of tenants who may not be sophisticated as to the specific bureau names and their respective responsibilities.

EXHIBIT F-2

Tracking a Complaint through Complaint and Referral Inspection

1. Making the Complaint:

Sources of complaints:

- Tenants or Public
- In-house referral (from another Inspector or Division)
- Other City Department
- Mayor of Council District Office

How complaints get into the system:

- Phone call to central number
- Public counter
- Directly to responsible Inspector via phone call or hand delivered worksheet

A. Complaints taken from the public over the phone:

Phone complaints are taken by one of two inspectors assigned to work at the public counter and entered onto a Referral Worksheet. One Inspector is located at the Wilshire Branch office at 425 Shatto Place. The other is located at the Valley office in Van Nuys. In addition, there are 2 or three clerks who are available to take calls, but they are not trained to answer technical or code related questions.

The caller is asked for the nature of the complaint and if they had called with the same complaint within the last three weeks. If they had already made a complaint, then the Inspector assigned to the phone will not write a new complaint. Instead they are given the direct number of the Inspector assigned to that type of complaint in that geographical area.

The caller is also asked whether or not they have made their landlord aware of the problem in writing. And if it seems appropriate, they are made aware of the county's tenant-landlord mediation program.

Callers are then asked for the building's address and for a description of the building (single/duplex, multi-family etc.).

The caller's name and telephone number are entered into the bottom portion of the worksheet marked confidential.

The caller is told to expect between 15 and 20 days for an inspection.

The operator then types the address into a computer terminal on his desk to establish which council district the complaint is located in to complete the Worksheet.

The completed worksheet is then put into a box for pick-up by Data Management.

B. In-house referral:

If an inspector comes across a condition in which they are not specialized they refer the case to the appropriate Inspector. These referrals are also prepared on a Worksheet but they are not usually routed through Data Management, but are instead handed directly to the other Inspector.

Referral from other City Departments: There are few referrals between Departments unless there is an imminent hazard.

C. Call from Mayor or Council District's Office:

Referrals which come from either of these two offices are handled in an expedited manner. Sometimes a worksheet is prepared, and at other times the Inspector is sent out without a worksheet. These cases would not be processed through Data Management until the Inspector returns from the field with an Order to Comply.

2. Data Entry:

Clerks from Data Management, 500 Shatto Place, pick-up the completed Worksheets each morning. These are forwarded to the clerk responsible for entering new complaints into the IMSP system (main frame Complaint and Referral tracking system). The information from the Worksheet creates the first record entry in the system for a complaint. The clerk checks the system to make sure that there is not an open complaint less than two weeks old. This would indicate that the Inspector has not yet been out to the building that the two complaints were about the same thing. The bottom section of the Worksheet (marked "confidential"), where the callers name and telephone number are recorded by the telephone operator, is torn off by the clerk before the complaint is forwarded to the Inspector. This information is not entered into the computer system.

Routing of referral worksheets:

Three types of information are used to route the complaint to the appropriate Inspectors: type of building, type of complaint, council district. Complaints are routed to Inspectors in Complaints and Referral if the building is defined as a commercial (3 or more residential units, retail, warehouse, office, industrial).

a) If there are structural or habitability complaints then the referral is routed to a Building Inspector.
b) If there are also plumbing, electrical or mechanical complaints then the building Inspector will make the first inspection and make referrals to the appropriate Inspectors.

c) If there is only one type of complaint, for example electrical, then the referral is routed directly to the appropriate specialty Inspector.

3. Initial Inspection:

Inspectors schedule their inspections between the hours of 9:30 and 2:30. Inspectors average about 10-12 inspections per day at an average of about 15 to 25 minutes per inspection.

If the Inspector is not able to gain access to the building then a lock-out card is left at the door of the tenant who made the complaint. The lock-out card records the date, the name and telephone number of the Inspector, and that they were responding to a complaint.

If the Inspector is able to gain access to the building because either 1. the complaint is in a public area, or 2. because the tenant is at home, then an inspection is made.

The Inspector will for the most part only examine for the items indicated on the Worksheet and will not look for any additional items. If additional complaints are brought to the Inspectors attention and they are not life threatening, the Inspector will request that the complaint be called in so that a Complaint and Referral worksheet can be prepared.

If a condition is found that involves another specialty then a referral is made. Referrals are sometimes made in cases where compliance does not require a permit (cover plates on outlets, repair leaking plumbing).

Order to Comply:

If a violation is found, then the Inspector prepares a Order to Comply (OTC) either in the field or when they return to the office. Owners are usually given 30 days to comply with the OTC.

Sub-standard Order:

If the violations are numerous or serious (as defined by section 91.8902 of the LAMC), then a Substandard Order is written. The code allows the owner 30 days to secure a permit, and an additional 60 days to correct deficiencies (90 days total).

The Franchise Tax Board box is checked by the Inspector if 1. the violation infringes on the health and welfare of the occupant(s), 2. the unit where the violations exists is not owner occupied, and 3. on other pending OTC the FTB box has not previously been checked.

A copy of the Order is not automatically made available to the tenant. There is section of the OTC for the notification of additional parties, but it is not used record the address of the tenant. If they request a copy of the Order then the Inspector will put a note with name and address on the Order to have Data Management send them a copy.

If no violation is found then the appropriate box is marked on the Worksheet.

4. Data Entry and Mail-out:

The completed paper work (Worksheet indicating no violation, an Order to Comply (OTC), or Substandard Order) is forwarded to the clerks in Data Management. The staff in Data Management are responsible for researching the owner of record, establishing the compliance date (the date that the order is processed begins the compliance period), mailing a copy of the Order to the owner and updating the IMSP system.

If the FTB box is marked, then the clerk in responsible for FTB processing enters the property address into a data base and assigns an FTB start date.

5. Progress Inspection:

The Inspector is responsible for making an attempt to contact the owner by telephone at the end of the compliance period, normally 30 days after the order was mailed out. The purpose of the contact is to see if the owner has made any progress towards compliance.

Progress inspections are scheduled to occur 15 days after the effective date of the order. Most orders have a 30 day compliance period, so progress inspections are normally scheduled to occur 45 days after the effective date of the order. The rational for this is to ensure that if no work has begun, the Inspector can issue a non-compliance fee without having to make a second inspection.

If the owner is showing some progress towards compliance (filed for a permit, started work or otherwise showing progress) the Inspector has the authority to issue a 30 day extension. The Senior Inspector has the authority to issue another 30 day extension. Further extensions in time are only authorized through an appeal process.

If the owner has shown no progress towards compliance, the Inspector can issue a non-compliance fee and refer the building to RRP and REAP.

After repeated efforts to get compliance the Inspector can transfer the case to Investigations. This is normally done after three "genuine" efforts to contact the owner have failed. If contact with the owner has been made then the submittal of the case to Investigations is delayed until the Inspector believes they are not going to get any compliance. In many cases, because Investigations is seen as ineffective, Inspectors are reluctant to transfer cases if they believe they have some possibility of gaining compliance. But there is some motivation for sending cases to Investigations to reduce work load and shift responsibility, especially if the violations could lead to a disaster which would bring the inspector unwanted attention.

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7. Date Entry and "Job Clearance":

A Job Clearance Sheet (or "golden rod") is prepared by and inspector when the requirements of the Order have been addressed. This form is submitted by each specialty group within Compliance and Referral inspection. For instance, a Building Inspector who has achieved compliance on an order can issue a Job Clearance Sheet for compliance with the structural and habitability violations even if there are outstanding plumbing and electrical violations. The box on the Job Clearance Sheet marked "File Completed" is not checked, because this would indicate that all outstanding orders have been cleared.

EXHIBIT F-4